ART IV

Ec 2-C-(ii)

Oct o NOVEMBER

PART IV

October to November.

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS

FINANCIAL SECRETARIAT.

NOTIFICATION.

Bangalore, dated 21st September 1967.

S. O. 1844.—In exercise of the powers conferred by sub-section (1) of Section 15 of the State Financial Corporations Act, 1951 (Central Act 63 of 1951), the Government of Mysore hereby nominates Sri S S. Melligeri, one of the Directors of the Board of Directors of the Mysore State Financial Corporation whose present term as Chairman expires on 22nd September 1967, to be the Chairman of the Board, for a further period of two years from the date of expiry of his present term.

[No. FD 12 BFC 67].

By Order and in the name of the Governor of Mysore,

T. K. RANGARAJA IYENGAR,
Deputy Secy.

1150

Department of Law and Parliamentary Affairs.

NOTIFICATION.

Bangalore, dated the 21st September 1967

S. O. 1845.—In exercise of the powers conferred by sub-section (1) of section 57 of the Provincial Insolvency Act, 1920 (Central Act 5 of 1920) as extended by the Provincial Insolvency (Mysore Extension and Amendment) Act, 1962, the Government of Mysore hereby appoints Sri Manikrao Kulkarni, B.A., LL. B., Advocate, Gulbarga, as Official Receiver, Gulbarga District, for a period of two years, with immediate effect.

[No. LAW 28 LCL 67.]

By Order and in the name of the Governor of Mysore,

1154 R. A. RAMASWAMY, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 21st September 1957.

S. O. 1846.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest ;

(ii) appoints the Forest Settlement Officer, Mangalore, to be the Forest Settlement Officer for purposes of clause (c) of the said Section; and

(iii) appoints the Divisional Forest Officer, Coondapur Division, Coondapur, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the Said Act.

SCHEDULE

Name of the District	...	South Kanara
Name of the Taluk	...	Coondapur
Name of the Village	...	Alibady
Name of the Block	...	Alibady Block III Bit A and B
Survey field No.	...	175
Area of the Block	...	192.60

Description of Boundaries Bit A

North.—Starting from station number O a point on the river bank of Kollur river which flows from east to west of the block the demarcation line runs on the river margin of Kollur river to east of the block to station No. 3 after passing through the intermediate stations 1 and 2 at a total distance of 2590 links. The bearings and distances from station to station are as follows :—

Station Numbers		Bearings in	Distance
From	To	F.B.	in link
0	1	22	610
1	2	61	1100
2	3	68	880

East.—From station No. 3 the demarcation line runs down to South to station No. 30 after passing through the middle station No. 27 to 29 at a distance of 900 links. From station No. 30 the line further runs to south-east to station No. 32, after passing through the middle station No. 31, at a total distance of 920 links. From station No. 32, the line runs to south-west to station No. 33 at a distance of 280 links. From station No. 33 the line runs further to south to station No 41. After passing through the midole station No. 34 to 40 at a total distance of 1900 links From station No. 41 the line further runs to south-east to station No. 42 at a distance of 450 links. From station No. 42 the line runs to south to station No. 44 after passing through the middle station No. 43 at a total distance of 770 links. From station No 44 the line runs to south-west of the block to station No. 45 at a distance of 510 links From station No. 45 the line runs further to South to station No. 49 after passing through the middle station No. 46 to 48 at a total distance of 1000 links. From station No. 49 the line runs to south-west to station No. 52 after passing through the middle station No. 50 to 52 at a distance of 1030 links. The bearings and distances from station to station are furnished below :—

Station Numbers		Bearings in	Distances
From 1	To 2	F. B. 3	in links 4
3	27	170	100
27	28	187	280
28	29	184	250
29	30	167	270
30	31	161	520
31	32	138	400
32	33	214	280
33	34	169	210

34	35	188	180
35	36	199	230
36	37	208	280
37	38	215	290
38	39	196	240
39	40	178	230
40	41	167	240
41	42	118	450
4	43	142	280
43	44	158	490
44	45	204	510
45	46	155	420
46	47	153	260
47	48	154	200
48	49	167	200
49	50	204	190
50	51	208	230
51	52	198	270
52	53	200	340

South.—From station No. 53, the line runs to south-west of the block to station No. 59 after passing through the middle station No. 54 to 58 at a total distance of 2335 links. From station No. 59, the line runs to south west to station No. 61 after passing through the intermediate station No. 60, at a total distance of 970 links. The bearings and distances from station to station are furnished below.

53	54	235	360
54	55	266	360
55	56	249	480
56	57	239	250
57	58	245	285
58	59	242	600
59	60	208	450
60	61	211	520

West.—From station No. 61 the demarcation line runs to north to station No. 65, after passing through the intermediate station No 62 to 64 at a total distance of 12 0 links. Then the line runs to north west to station No. 68 after passing through the middle station No. 66 and 67 at a total distance of 805 links. From station No. 68 the line runs to east to station No. 69 at a distance of 460 links. Then the line further runs to north east to station No. 71 after passing the middle station No. 70 at a distance of 820 links From there the line runs to east to station No. 72 at a distance of 330 links. From station No. 72

the line further runs to north-east to station No 73 at a distance of 400 links. Then the line runs to north to station No. 73 after passing the intermediate station 74 to 77 at a total distance of 2100 links. From there the line runs to north-west to the block to station No. 84 after passing through the middle station No. 79 to 83 at a total distance of 2 50 links. From station No. 84 the line runs to north-east to station No. 85 at a distance of 450 links. Then runs to south-east to station No 89 after passing through the middle station No. 86 to 88 at a total distance of 1070 links. From station No. 89 the line runs to north-east to station No. 90 at a distances of 2-0 links. From station No. 90 the line further runs to north to station No. 92 after passing through the middle station No. 91 at a total distance of 550 links. From station No. 92 the line further runs to north-west of the block station No. O (located on the Shrimane River Bank) after passing through the middle station No. 93 to 96 at a total distance of 1050 links. The bearings and distances from station to station are as follows :—

Station From	Numbers To	Bearings in F. B.	Distances in links
1	2	3	4
61	62	350	560
62	63	20	310
63	64	349	260
64	65	358	870
65	66	333	275
66	67	305	260
67	68	315	270
68	69	94	460
69	70	58	410
70	71	52	410
71	72	93	830
72	73	46	410
73	74	353	275
74	75	6	360
75	76	348	6 0
76	77	333	445
77	78	318	400
78	79	310	370
79	80	306	320
80	81	310	870
81	82	309	3 0
82	83	310	400
83	84	311	450

1	2	3	4
84	85	56	450
85	86	129	250
86	87	152	250
87	88	143	270
88	89	112	300
89	90	60	280
90	91	7	320
91	92	7	230
92	93	327	270
93	94	335	270
94	95	331	200
95	96	323	190
96	0	327	120

Albady Block Bit B

North—From station No. 5 the line runs to east to station No. 7 after passing the middle station No. 6 at a distance of 2150 links. The northern side of the block is surrounded by Sneematee river which flows east to west of the block. The bearings and distances from station to station are as follows:—

5	6	82	1200
6	7	88	950

East.—From station No. 7 the line runs away from the river margin to south of the block to station No. 14, after passing the middle station No. 8 to 13 at a total distance of 2370 links. The bearings and distance from station to station are as follows:—

7	8	179	290
8	9	170	220
9	10	169	210
10	11	164	400
11	12	158	400
12	13	166	360
13	14	196	380

South.—From station No. 14 the line runs to south-west of the block to station No. 16 after passing the middle station No. 15 at a total distance of 6·0 links. From there the line runs to west to station No. 17 at a distance of 350 links. The bearings and distances are shown below :—

14	15	246	350
15	16	240	3·0
16	17	266	350

West.—From station No. 17 the line runs to almost north of the block to station No. 19 after passing the middle station No. 18 at a total distance of 610 links, then runs to north-east of the block to station No. 20 at a distance of 320 links. Further it runs to north-west to station No. 22 after passing the middle station No. 21 at a total distance of 620 links. Then it runs to west of the block to station No. 23 at a distance of 220 links. From there the line runs to north-west of the block to station No. 25 after passing the middle station No. 24 at a distance of 865 links. From there to west of the block to station No. 26 at a distance of 410 links. From there the line further runs to north to station No. 5 at a distance of 200 links. The bearings and distances from station to station are as follows :—

17	18	331	300
18	19	346	310
19	20	42	320
20	21	331	360
21	22	330	260
22	23	278	220
23	24	315	875
24	25	318	490
25	26	280	410
26	5	355	200

Tie line.—A tie line from station No. 3 of Albady Block A runs to east to station No. 5 of Albady block B along the Snedimane river margin after passing through the middle station No. 4 at a total distance of 1160 links. The bearings and distances from station to station are to follows :—

3	4	65	560
4	5	85	600

Right of ways.—A cart track from Albady village enters the Block B in between cairn No. 7 and 8 and then exit in between station No. 5 and 6 leading to Shettimane village.

Other previleges :—

1 Free Grazing of the cattle by villagers is allowed inside the block.

2 Free removal of green manure leaves for the villagers for the *bona fide* use.

3 Free removal of dry fuel by the villagers for the *bona fide* use.

4 Free removal of muligrass for the *bona fide* use of villagers.

[No. AFD 194 FAF 66.]

By Order and in the name of the Governor of Mysore,

1127 M. W. WINSTON, *Under Secy.*

NOTIFICATION.

Bangalore, dated 16 b-22nd September 1967.

S. O. 1847.—In exercise of the powers conferred by clause (d) of Section 2 of the Mysore Land Improvement Act, 1961 (Mysore Act No. 6 of 1962), the Government of Mysore hereby authorises the Deputy Director of Agriculture in charge of each District to perform the functions of the District Agricultural Officer under the said Act.

[No AF 2 ASC 67.]

By Order and in the name of the Governor of Mysore,

P. S. V. Rao, *Under Secy.*

HOME SECRETARIAT.

ORDER.

Bangalore, dated 20th September 1967.

S. O. 1848.—In exercise of the powers conferred by sub-section (3 of Section 5 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act No. XI of 1953), as in force in the Bombay area, the Government of Mysore hereby direct that the licences under the said Act, shall for a period of one year from the date of this order, extend, adequate opportunities to Sri. Tagore Educational and Cultural Institution, 87-88 Commercial Street, Bangalore to exhibit films of educational or cultural value to the children of schools in the Bombay area, in connection with the children's Film Festival, subject to the following conditions, namely :—

(1) Only films of a predominantly educational or cultural nature suitable for school children certified as such by the Central Board of Film Censors, shall be exhibited ;

(2) No admission fee except a nominal entrance fee of 15 paise per pupil to cover the expense, shall be charged ;

(3) No persons other than school children and staff of the Schools concerned shall be admitted to the show ;

(4) A list of the films proposed to be exhibited shall be supplied to the Head of the Schools concerned well in advance;

(5) This order shall be valid for a period of one year from the date of this Order unless revoked earlier.

[No. HD 44 (A) CNA 67.]

By Order and in the name of the Governor of Mysore,

1138

V. A. GUMASTE,
Under Secy.

ORDER

Bangalore, dated 20th September 1967.

S. O. 1849.—In exercise of the powers conferred by sub-section (4) of Section 12 of the Indian cinematograph Act, 1952 (Central Act XXXVII of 1952), read with Notification No.20/8/1952 Judicial dated 23rd July 1952 of the Government of India, Ministry of Home Affairs as in force in the Coorg area, the Government of Mysore hereby direct that the licences under the said Act shall for a period of one year from the date of this order, extend adequate opportunities to Sri Tagore Educational and Cultural Institution, 87-88, Commercial Street, Bangalore to exhibit films of educational or cultural value to the children of schools in the Coorg area, in connection with the children's Film Festival, subject to the following conditions, namely:—

1. Only films of a predominantly educational or cultural nature suitable for school children, certified as such by the Central Board of Film Censors, shall be exhibited;

2. No admission fee except a nominal entrance fee of 15 paise, per pupil to cover the expense, shall be charged;

3. No persons other than school children and staff, of the Schools concerned shall be admitted to the show;

4. A list of the films proposed to be exhibited shall be supplied to the Head of the Schools concerned well in advance.

5. This order shall be valid for a period of one year from the date of this order unless revoked eatier.

[No. HD 44 (B) CNA 67.]

By Order and in the name of the Governor of Mysore,

1141 V. A. GUMASTE, *Under Secy.*
Home Department.

ORDER

Bangalore, dated 20th September 1967.

S. O. 1850.—In exercise of the powers conferred by Section 6 of the Madras Cinemas (Regulation) Act, 1955, (Act No. IX of 1955) as in force in the Madras area, the Government of Mysore hereby direct that the licences under the said Act shall for a period of one year from the date of this order, extend adequate opportunities to Sri Tagore Educational and Cultural Institution, 87-88, Commercial Street, Bangalore-1, to exhibit films of educational or cultural value to the children of schools in the Madras area, in connection with the children's Film Festival subject to the following conditions, namely :—

1. Only films of a predominantly educational or cultural nature suitable for school children, certified as such by the Central Board of Film Censors, shall be exhibited ;
2. No admission fee except a nominal entrance fee of 15 paise, per pupil to cover the expense, shall be charged ;
3. No persons other than school children and staff of the Schools concerned shall be admitted to the show ;
4. A list of the films proposed to be exhibited shall be supplied to the Head of the Schools concerned well in advance ;
5. This order shall be valid for a period of one year from the date of this order unless revoked earlier.

[No. HD 44 (C) CNA 67.]

By Order and in the name of the Governor of Mysore,

1137 V. A. GUMASTE, *Under Secy.*

ORDER.

Bangalore, dated 20th September 1961.

S. O. 1851.—In exercise of the powers conferred by sub-section (4) of Section 5 of the Mysore Cinemas (Regulation) Act, 1952 (Mysore Act No. XXXI of 1 52), as in force in the Mysore area, the Government of Mysore her by direct that the licences under the said Act shall for a period of one year from the date of this order, extend adequate opportunities to Sri Tagore Educational and Cultural Institution, 87-88, Commercial Street, Bangalore-1 to exhibit films of educational or cultural value to the children of schools in the Mysore area, in connection with the children's Film Festival, subject to the following conditions, namely :—

(1) only films of a predominently educational or cultural nature suitable for school children, certified as such by the Central Board of Film Censors, shall be exhibited ;

(2) no admission fee except a nominal entrance fee of 15 Paise, per pupil to cover the expense, shall be charged ;

(3) no persons other than school children and staff of the schools concerned shall be admitted to the show;

(4) A list of the films proposed to be exhibited shall be supplied to the Head of the schools concerned well in advance ;

(5) This order shall be valid for a period of one year from the date of this order unless revoked earlier.

[No. HD 44 (D) CNA 67]

By Order and in the name of the Governor of Mysore,

1139 V. A. GUMASTE, *Under Secy.*

ORDER.

Bangalore, dated 27th—28nd September 1967.

S.O. 1852—In exercise of the powers conferred by sub-section (4) of Section 5 of the Hyderabad Cinemas (Regulation) Act, 1952 (Hyderabad Act XLVI of 1952), as in force in the Hyderabad area, the Government of Mysore hereby direct that the licencees under the said Act shall for a period of one year from the date of this Order, extend adequate opportunities to Sri Tagore Educational and Cultural Institution, 37-38, Commercial Street, Bangalore-1, to exhibit films of educational or cultural value to the children of schools in the Hyderabad area, in connection with the children's Film Festival, subject to the following conditions, namely :—

(1) Only films of a predominently educational or cultural nature suitable for school children, certified as such by the Central Board of Film Censors, shall be exhibited ;

(2) No admission fee except a nominal entrance fee of 15 Paise, per pupil to cover the expense, shall be charged ;

(3) No persons other than school children and staff of the schools concerned shall be admitted to the show ;

(4) A list of the films proposed to be exhibited shall be supplied to the Head of the schools concerned well in advance.

(5) This order shall be valid for a period of one year from the date of this order unless revoked earlier.

[No. HD 44 (E) CNA 67.]

By Order and in the name of the Governor of Mysore,

1140 V. A. GUMASTE, *Under Secy.*

NOTIFICATION-I.

Bangalore, dated 21st September 1967.

S. O. 1853—In exercise of the powers conferred by Section 6 of the Indian Christian Marriage Act, 1872 (Central Act 15 of 1872) and in supersession of Notification-I No. HD 5 PIM 67, dated 29th April 1967, the Government of Mysore hereby, grants a licence to Sri K. M. John, Pastor, Seventh-day Adventis Church, Tilak Nagar, Mysore, to solemnise marriages under the said Act, in Mysore State.

[No. HD 18 PIM 67.]

By Order and in the name of the Governor of Mysore,

1121 V. A. GUMASTE, *Under Secy.*

NOTIFICATION-II.

Bangalore, dated 21st September 1967.

S. O. 1854.—In exercise of the powers conferred by Section 9 of the Indian Christian Marriage Act, 1872 (Central Act 15 of 1872) and in supresession of Notification-II No. HD 5 PIM 67, dated 29th April 1967, the Government of Mysore hereby grants a licence to Sri K. M. John, Pastor, Seventh-Day Adventis Church, Tilak Nagar, Mysore, authorising him to grant certificate of marriage between Indian Christians under the said Act, in Mysore State.

[No. HD 18 PIM 67.]

By Order and in the name of the Governor of Mysore,

1120 V. A. GUMASTE, *Under Secretary.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 16/19th September 1967.

S. O. 1855.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Sri Dharmasthala Manjunatheswara College, Ujire to the Mysore University for teaching the following courses:

(i) Pre-University Course (Arts) for three years from 1967-68.

History, Economics, Sanskrit History, Economics, Kannada History, Economics, Political Science	64 students for each combination.

(ii) Pre-University Course (Commerce):
History, Economics, Commerce.

(iii) Pre-University (Science) for 1967-68.
Physics, Chemistry, Mathematics–72 students.

(iv) B. A. Degree (First Year) for the year 1967-68.
Economics, Political Science (Majors), History (Minor).

(v) B.Com. Degree (First Year). (vi) B.Sc., Degree (First year) Physics, Chemistry (Major), Mathematics (Minor)-48 students.	for the year 1967-68.

and extension of affiliation to the following courses for the year 1967-68:

(i) B. A. Degree (Second Year).
Economics, Political Science (Major), History (Minor).

(ii) B.Com. Degree (Second Year).

(iii) B.Sc., Degree (Second Year)
Physics, Chemistry (Majors), Mathematics (Minor) 48 students

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 62 UAC 67.]

By Order and in the name of the Governor of Mysore,

1116

S. N. SREENATH,
Under Secy.

Education Secretariat.

NOTIFICATION.

Bangalore, dated 16-19th September 1967.

S.O. 1856.—In exercise of the powers conferred under sub-section (3) of Section 44-A, of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction permanent affiliation of the St. Aloysius College, Mangalore to the Mysore University, for teaching the following courses in the Arts Faculty :—

(i) **Pre-University.**—History, Economics, Political Science.

(ii) **B. A. Degree.**—(All the three years).

Economics, History (Majors), Political Science (Minor).

English, Economics (Majors), Political Science (Minor).

from the year 1967-68.

[No. ED 29 UAC 67.]

By Order and in the name of the Governor of Mysore,

1117 S. N. Sreenath *Under Secretary.*

NOTIFICATION

Bangalore, dated the 20th —22nd September 1967.

S. O. 1857.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957 the Government of Mysore are pleased to sanction continuation of affiliation of the Shri Siddaganga College of Science, Tumkur to the Mysore University for teaching the following courses :—

(i) P. U. C. (Science)

Physics, Chemistry, Mathematics (3) sections of 72 students each)

Physics, Chemistry, Biology (2 sections of 72 students each)

and fresh affiliation to teach the following courses :—

(i) P. U. C. (Arts)

History, Economics, Logic.

History, Economics, Political Science.

(ii) P. U. C. (Commerce) History Economics, Commerce.

(iii) P. U. C. (Science) Chemistry, Botany Zoology (1) Section of 72 students)

(iv) B. A. Degree (I Year)

History, Economics (Majors) Sociology (Minor)

History, Economics (Majors) Political Science (Minor)

Economics, Political Science (Majors) Sociology (Minor)

(v) B.Sc., Degree (1st year) Physics, Mathematics (Majors) Chemistry (Minor) (1 Section of 64 students)

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 91 UAC 67.]

By Order and in the name of the Governor of Mysore,

S. N. SREENATH, *Under Secy.*

1142

NOTIFICATION

Bangalore, dated the 20th September 1967.

S.O. 1858.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957 the Government of Mysore are pleased to sanction continuation of affiliation of the J.J.M. Medical College, Davangere to the Mysore University for teaching Pre-Professional Course in Medicine and First M. B. B. S. Course and extention of affiliation for teaching Second M. B. B. S. Course with an intake of 150 students to Pre-Professional Course for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 57 UAC 67.]

By Order and in the name of the Governor of Mysore,

1143 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 19—22nd September 1967.

S. O. 1859.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the National College of Education, Shimoga to the Mysore University to run the B. Ed Degree Course with an intake of 70 students for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 35 UAC 67.]

By Order and in the name of the Governor of Mysore,

1156 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd—25th September 1967.

S. O. 1867.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Sarsawathi Law College, Chitradurga to the Mysore University, for teaching F.L. and B.L. courses with an intake of not more than 80 students for F.L. and B.L. courses for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 73 UAC 67.]

By Order and in the name of the Governor of Mysore,

1164 S. N. SREENATH, *Under Secretary.*

NOTIFICATION.

Bangalore, dated the 23rd—25th September 1967.

S. O. 1861.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949) the Government of Mysore are pleased to sanction permanent affiliation of the K. C. Patil Science College, Bijapur to the Karnatak University for teaching Zoology as Major subject at B.Sc. Parts II and III from June 1967.

[No. ED 87 UAO 67].

By Order and in the name of the Governor of Mysore,

1165 S. N. SREENATH, *Under Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION

Bangalore, dated 21st September 1967.

S. O. 1862.—WHEREAS by Notification, Revenue Department No. 57:6/39, dated the 18th October 1948 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the former Government of Bombay was pleased to regulate the purchase and sale of Betelnut, Pepper, Cardamom in the area of Sirsi Taluk of North Kanara Distriot.

AND WHEREAS by Notification No. PMA 5755, dated the 12th October 1955, issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), the former Government of Bombay have declared that with effect from 15th November 1955, the area of Sirsi and Siddapur Taluks of North Kanara District should be Market area for the purpose of Betelnut, Pepper and Cardamom.

And WHEREAS by Notification No. DPC 205 CMD 62 dated 31st December 1964 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), as in force in Bombay area, the Government of Mysore was pleased to declare the said area shall be a market area for the purchase and sale of Paddy (husked and un-husked) and bananas in addition to Betelnut, Pepper and Cardamom;

AND WHEREAS by Notification No. DPC 46 CMD 65 dated the 28th July 1966 issued under sub-section (1) of Section 3 and sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939) as in force in Bombay area, the Government of Mysore had declared its intention to include in the said Market area, the areas of Mundgod and

Yellapur Taluks of North Kanara District for regulating the purchase and sale of Betelnut, Pepper, Cardamom, Paddy, (husked and un-husked) and bananas in the said area;

AND WHEREAS by Government Notification No. DPC 234 CMD 66 (1) dated the 11th January, 1967, issued under sub-section (4) of the Section 4 of the Bombay Agricultural Produce Market Act 1939 (Bombay Act XXII of 1939) as in force area, the Government of Mysore was pleased to exclude with effect from 1st February 1967, Siddapur Taluk from the said Market area;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), and after examination of all objections and suggestions received in this behalf the Government of Mysore, hereby includes with effect from 4th October 1967 in the said market area, the area of Mundgod Taluk of North Kanara District only for regulating the purchase and sale of Betelnut, Pepper, Cardamom, Paddy (husked and un-husked and bananas in the said area.

[No. DPC 46 CMD 65.]

By Order and in the name of the Governor of Mysore,

745 S.V. PRABHU, *Under Secy.*

CORRIGENDUM

Bangalore, dated the 20th September 1967.

S. O. 1863.—In Notification No. S.O. 1431 (DPC 66 CSF 67), dated 1st August 1967, published in the *Mysore Gazette*, dated 3rd August 1967 for clause (a) of item (4), read 'In bye-law No. 22, for item (c) of clause (1), the following item shall be substituted, namely :—

"The State Government shall nominate twelve Directors including the Chairman and the Managing Director",.

[No. DPC 66 CSF 67.]

By Order and in the name of the Governor of Mysore,

1146 S. V. PRABHU, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd September 1967.

S. O. 1864.—In exercise of the powers conferred by Rule 18 of the Mysore Agricultural Produce Markets Rules 1947, the Government of Mysore are pleased to extend the term of the V Agricultural Produce Market Committee, Arsikere, Constituted under Government Order No. DPC 240 CMD 64, dated the 3rd September 1964 for a further period ending with 31st December 1967.

[No. DPC 278 CMD 67.]

By Order and in the name of the Governor of Mysore,

1147 S. V. PRABHU, *Under Secy.*

Revenue Secretariat.

NOTIFICATION.

Bangalore, dated the 21st September 1967.

S. O. 1865.—In exercise of the powers conferred by sub-section 3 of Section 12 of the Mysore Land Revenue ct, 1964 (Mysore Act 12 of 1964) the Government of ysore nereby appoints Kumari Sarita Ram Prakash, I.A.S. Probationer as special Tahsildar of Bangalore North Taluk for a period of two months from 31st October 1967 to 30th ecemuber 1967.

She shall exercise all the powers and perform all the duties as are exercised and performed by a Tahsildar under the Mysore Land Revenue Act 1964 during the said period.

[No. RD 271 ASG 67.]

By Order and in the name of the Governor of Mysore,

1133 K. C. Puttanarasiah, *Under Secy.*

NOTIFICATION

Bangalore, dated 21th September 1967.

S. O.1866—Whereas the State Government considers that for the purpose of providing opportunities of training as Thsildar for the probationer of the Indian Administrative Service, it is expedient to appoint her as Special Tahsildar for a Taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsilda

Now, therefore in exercise of the powers conferred by sub- section (1) of Section 12 of the Mysore Land Revenue Act 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Bangalore North taluk in Bangalore Division for a period of two months from 31st October 1967 to 30th December 1967.

[No. RD 271 ASG 67.]

By Order and in the name of the Governor of Mysore,

1134 K. C. Puttanarasiah, *Under Secy.*

ORDER.

Bangalore, dated 22nd September 1967.

S. O. 1867.—WHEREAS the draft notification of the scheme of Consolidation of Holdings of Kyarakoppa village, Dharwar Taluk, Dharwar District, proposed to be made by the Government of Mysore was published in Order No. RD 166 TCO 65, dated 12th January 1967 as required under Section 32 (1) of Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bombay Act No. LXII of 1947).

AND WHEREAS no objections were received by the State Government in respect of the said draft variation.

NOW, THEREFORE, in exercise of powers conferred by Section 32 (3) of the said Act, the Government of Mysore confirms the varied scheme as indicated hereunder.

The confirmed scheme of the Consolidation of Holdings of Kyarakoppa village, Dharwar Taluk, Dharwar District, shall be published in the Official Gazette and in the prescribed manner in the village concerned as required under sub-section (3-A) of Section 32 of the said Act.

As per Confirmed Scheme.

Khata No.	Survey No.	Hissa No.	Area			Assessment			Block No.	Khata No.	Survey No.
1	2	3	4			5			6	7	8
14	3	2	K	1	33				5	14	3
			T	0	22	1	13	0			
				2	15						
5	K	0	1								
	T	0	20			1	14	0			
			0	21							
6	T	0	12			1	2	0			
Part East											
			K	1	34						
			T	1	14	4	13	0			
				3	8						
32	4	1	K	0	7	7	14	0	6	32	4
			T	2	1						
				2	8						
		4	T	0	10	0	14	6			
		Part East									

E.

As per Variation Scheme.

Hissa No.		Area		Assessment			Block No.	Remarks
9		10		11			12	13
	2	K	1 33					5 On consent.
		T	0 22					
			2 15	1	13	0		
	5	K	0 1					
		T	0 20					
			0 21	1	14	0		
	6	K	0 4					
Part South		T	0 24					
			0 28	2	6	0		
		K	1 38	6				
		T	1 26					
			3 24					
1		K	0 7	7	14	0		do
		T	2 1					
			2 8					
2		T	0 12	1				

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				2	T	0	12	1	2	0													
					K	0	7									K	0	7	9		0.		
					T	2	23	9	14	6						T	2	13					
						2	30										2	20					
112	3		3	K	1	4	0	10	0		4	112		3	3	K	1	4	0	10	0	243	do
	4		3	K	0	5								4	3	K	0	5					
				T	0	11	1	4	0							T	0	11	1	13	0		
					0	16											0	16					
			4	K	0	3	0	14	6						4	K	0	3	1	13	0		
		Para		T	0	9										T	0	19					
		west			0	12											0	23					
	6	K	0	4	2	0	0								6	T	0	8	0	12	0		
	Para	T	0	20											Port								
	west														South								
				0	24											K	0	8	3	13	0		
																T	0	38					
				K	1	16											1	6					
				T	1	0																	
					2	16	4	12	6							K	1	12					
																T	0	38					
																	2	10	4	7	0		

[No. RD 166 TCC 65.]

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

ORDER

Bangalore, dated 22nd September 1967.

S. O. 1868.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Tungabhadra Sugar Works (P) Ltd., Post Box No. 2, Shimoga on the points noted below:

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal Bangalore.

Points of Dispute

"(1) (a) Are the staff Members of the Thungabhadra Sugar Works (P) Ltd., Shimoga, entitled to 15 per cent of their total salary as House Rent Allowance or to any other rate of House Rent Allowance?

(b) Are the staff members of Thungabhadra Sugar Works (P) Ltd, Shimoga whose salary is less than Rs. 100 per mouth, entitled to a fixed House Rent Allowance of Rs. 15 per month, or to any other rate of House Rent Allowance?

(c) Are the seasonal staff members of the Thungabhadra Sugar Works (P) Ltd., Shimoga entitled to payment of House Rent Allowance during off season also? If not, are they entitled to any other relief?

(2) Are the staff members of the Thungabhadra Sugar Works (P) Ltd., Shimoga entitled to leave facilities at the following rate ?

(a) Privilege leave 24 days per year.
(b) Casual leave 12 Do
(c) Sick leave 12 Do
(d) In case of National Holidays fall on Sundays or on Weekly off-days, one day compensatory off shall be given on the subsequent day.

If not, what should be the quantum of leave ?

(3) Are the staff Members of the Thungabhadra Sugar Works (P) Ltd., Shimoga, entitled to 16 per cent of their annual wages as balance of bonus for the year 1 64-65 ? If not what should be the quantum of balance of bonus ?

(4) Is Sri Meer Mohamed, Cane Yard Supervisor, entitled to Gr. 105-6-135-EB-7-170 *plus* Dearness Allowance and be classified as semi-skilled 'B' ?

If not, is he entitled to any other relief?

[No. FCL 418 LD 67.]

By Order and in the name of the Governor of Mysore,

1141 G. G. PUROHIT, *Under Secretary.*

ORDER

Bangalore, dated the 22nd September 1937.

S. O. 1869.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Mysore Chemicals and Fertilisers Ltd., Post Box No. 8, Vani Vilas Road, Mysore-4, on the points noted below:

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW THEREFORE, in exercise of the powers conferred by clause (*c*) of sub section (1) of Section 10 of the Industrial Disputes Act, 1947, (Central Act No. XIV of 1917) the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

"Is the Management of Mysore Chemicals and Fertilisers Ltd., (Administrative Offices), Mysore justified in terminating the services of Sri S. Narasimhaswamy, Typist? If not, is the worker entitled to reinstatement with back wages and continuity of service? or to any other relief?

[No. FCL 420 LLD 67.]

By Order and in the name of the Governor of Mysore,

1152 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated 27nd September 1967.

S. O. 1870.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Ganesh Saw Mills, Urva, Mangalore, on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"I. Is the Management of M/s. Ganesh Saw Mills, Urva, Mangalore justified in dismissing the services of Sri G. K. Gangadhara, Carpenter by their notice dated 6th November 1966?

II. If not, to what relief is the said worker entitled to?

[No. FCL 567 LLD 67.]

By Order and in the name of the Governor of Mysore,

1151 G. G. PUROHIT, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 18th September 1967.

S. O. 1871.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under Sub-section (2) of Section 5 of the Said Act. the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Iron and Manganese Ore to Shri P. S. Doddannavar in the following areas of the Supa Taluk, North Kanara District, on the terms and conditions mentioned below.

Village	*S. Nos.*	*Area*
Kundur and Dongarwada.	as per sketch.	256. Acres (103.60 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology.)

Terms and Conditions:

1. The licence shall be operative for a period of Two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 3-50 per hectare of the land covered by the licence for each year or portion of a year;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence;

5 The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6 If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government.

7 The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee.

8 The licensee shall, before the deposit is returned to him submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him.

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geologist or a Mining Engineer to conduct the prospecting methodically; and

12. The licensee shall not give any ore-raising contract during the prospecting stage;

13. The area mentioned above is subject to verification after actual survey and subject to the special condition that;

14. the licensee shall have no right to claim any compensation from Government if the area gets submerged consequent to the execution of Kalinadi Hydro Electric Project before the expiry of the licence.

(No. CI 81 EPI 67.)

By Order and in the name of the Governor of Mysore,

1057 N. NARAYANASWAMY, *Under Secy.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

CORRIGENDUM

Bangalore, dated 19th September 1967.

S. O. 1872.—In Notification No. PWD 208 EEB 67, dated the 19th July, 1967 for the word "9th August 1967" read "10th August, 1967".

[No. PWD 236 EEB 67.]

By Order and in the name of the Governor of Mysore,

1119 S. BALASUBRAMANYAN, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

ORDER.

Bangalore, dated the 25th September 1967.

S. O. 1874.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Hubli-Dharwar Municipal Corporation, Hubli, on the points noted below ;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (*c*) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947). the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute

"1. Is the management of the Hubli-Dharwar Municipal Corporation, Hubli, justfied in stopping allowance of Sri T C. Gangal, First Division Surveyor, from May 1966 and in transferring him as Surveyor-*cum*-clerk from 12th September 1966 ?

2. Is Sri T. C. Gangal entitled to be transferred back as First Division Surveyor and get cycle allowance of Rs. 10–00 per month with retrospective effect from the date it was stopped ? If not, what other relief, if any, is he entitled to ?"

[No. FCL 537 LLD 67.]

By Order and in the name of the Governor of Mysore,

1176 G. G. Purohit, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 22nd September 1967.

S.O. 1875.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1 57, the Government of Mysore are pleased to sanction continuation of affiliation of the Manipal Engineering College, Manipal, to the Mysore University, for teaching the following courses:

(i) I, II and III Year Classes of the B.E. Degree Five Year Integrated Course (Mysore University Scheme) with an intake of 240 students to the first year with 90 Civil, 90 Mechanical and 60 Electrical and

(ii) I, III and Final Year Classes of the B.E. Degree Course according to Karnataka University Scheme;

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 85 UAC 67.]

By Order and in the name of the Governor of Mysore,

1159 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd September 1957

S. O. 1876.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Government College, Tumkur to the Mysore University for teaching the following courses:—

(i) B.A. Degree (II and III Years).
Sanskrit, Sociology (Majors), Political Science (Minor).

(ii) B.Sc. Degree (All the three years).
Physics, Mathematics (Majors), Geology (Minor)—36 students.
Botany, Zoology (Majors), Geology (Minor),—36 students.

(iii) B.Sc., (I and II Years).
Physics, Geology (Majors), Mathematics (Minor)—32 students.
Botany, Geology (Majors), Chemistry (Minor)—16 students.

and fresh affiliation to run the B.Com. Degree course (first year) for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 77 UAC 67.]

By Order and in the name of the Governor of Mysore,

1160 S. N. SREENATH, *Under Secy.*

NOTIFICATION

Bangalore, dated 23rd—25th September 1967.

S. O. 1877.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949, (Bombay XX of 1949) the Government of Mysore are pleased to sanction extension of affiliation of the Arts and Science College, Karwar, to the Karnatak University for teaching History as major at B. A. Parts II and III courses for a period of two years from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 86 UAC 67.]

By Order and in the name of the Governor of Mysore,

1661 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 22nd September 1967.

S. O. 1878.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957 the Government of Mysore are pleased to sanction permanent affiliation of the Government College, Hassan, to the Mysore University to run the B. A. Degree Course (All the three years) with Economics, Kannada (Majors) Sociology (Minor) combination with effect from 1967–68, and fresh affiliation for the following courses for the period noted against each :—

(i) B. A. Degree (1st year) for 1967-68
Kannada, Sociology (Majors) Political Science (Minor) Kannada, History (Majors) Political Science (Minor)

(ii) B. A. Degree (1st and 2nd Years) for 1967-68
Economics, Sociology (Majors) Political Science (Minor)

(iii) B. Com. Degree (1st Year) 64 students for one year 1967-68

Subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 88 UAC 67]

By Order and in the name of the Governor of Mysore,

1172 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd-25th September 1967.

S. O. 1879—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Teresian College, Mysore to the Mysore University for teaching the following courses for the period noted against each :—

(i) Pre-University Course (Arts) for 1967-68.

History, Economics, Political Science.

(ii) Pre-University Course (Science) for 1967-68.

Physics, Chemistry, Mathematics (72 students)
Physics, Chemistry, Biology (72 students)
Chemistry, Botany, Zoology (64 students).

(iii) B. A. Degree (All the three years) for three years for 1967-68.

History, Economics (Majors), English (Minor).

(iv) B. A. Degree (I & II years) for 1967-68.

Sociology, Political Science (Majors), History (Minor).

(v) B. A., Degree (I Year) for 1967-68.

English, History (Majors), Economics (Minor).

(vi) B. Sc. Degree (All the three years) for 1967-68.

Physics, Mathematics (Majors), Chemistry (Minor)—36 students.

Botany, Zoology (Majors), Chemistry (Minor)—36 students.

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 36 UAC 67.]

By Order and in the name of the Governor of Mysore,

1173 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd—25th September 1967.

S. O 1830.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Kamala Nehru Memorial National College for Women, Shimoga, to the Mysore University, for teaching the following courses:

(i) Pre-University Course:

History, Economics, Logic.

History, Economics, Hindi.

History, Economics, Political Science.

(ii) B.A. Degree (1st Year):

History, Economics (Majors), Political Science (Minor).

Sociology, Economics (Majors), Political Science (Minor).

Kannada, Political Science (Majors), Philosophy (Minor).

Sociology, Political Science (Majors), Philosophy (Minor).

Sociology, Kannada (Majors), Philosophy (Minor).

(iii) B.A. Degree (2nd Year).

History, Economics (Majors), Political Science (Minor).

Sociology, Economics (Majors), Political Science (Minor).

Kannada, Political Science (Majors), Philosophy (Minor).

and extension of affiliation to the B.A. Degree (Third Year) with the following combinations :—

History, Economics (Majors), Political Science (Minor).

Sociology, Economics (Majors), Political Science (Minor).

and fresh affiliation to Post Pre-University Diploma Course in languages—Kannada and Hindi for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 80 UAC 67.]

By Order and in the name of the Governor of Mysore,

1174 S. N. SREENATH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 18th September 1967.

S.O.1881.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the grant to Messrs. Associated Cement Companies Ltd, Bombay of a Mining Lease for twenty years for Sand in respect of the area of 70 acres (28.33 hectares) of land in Ingaligi and Malgothi villages, Chittapur Taluk, Gulbarga District, as delineated in the plan accompanying the application.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Sand only. If other minerals are found in association with Sand they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Sand he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 25 per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of 2–50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilo-meters.

(*l*) Government shall have the right of purchasing the Ore at current market rates.

(*m*) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) That the area is subject to verification after actual survey.

[No. CI 87 EMI 67.]

By Order and in the name of the Governor of Mysore,

956 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION

Bangalore, dated 21st September 1967.

S. O. 1882.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the Said Act the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese and iron ore to Shri D. Narayana in the following areas of the Chicknaikanahalli Taluk, Tumkur District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	
Doddarampur	49 (Part)	21 acres (8.49 hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions.

1. The licence shall be operative for a period of one year with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a Prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other "substance prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence;

5 The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the Licence if the Licensee so desired and to recover the cost of the same from the Licensee;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him;

10. The licensee shall, before the licence is issued to him, deposits as security a sum of Rs. 200 in respect of

every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically; and

12. The licensee shall not give any ore-raising contract during the prospecting stage;

13. The area mentioned above is subject to verification after actual survey.

[No. CI 144 EPO 67.]

By Order and in the name of the Governor of Mysore,

1148 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 25th September 1967.

S. O. 1883.—In exercise of the powers conferred under Rule 15 (1)of the Mineral Concession Rules 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 81 EPO 67 dated 25th May 1967, sanctioning a Prospecting Licence for Corundum in respect of the area of 56–37 acres of land in Bettahalli village, Srirangapatna Taluk, Mandya District in favour of Shri N. A. Krishna Bhat as the grantee failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 193 EPO 67.]

By Order and in the name of the Governor of Mysore,

1180 N. NARAYANASWAMY, *Under Secy.*

HOME SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 23rd September 1967.

S. O. 1884.—In exercise of the powers conferred by clause (s) of sub-section (1) of section 4 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the Government of Mysore hereby make the following amendments to notification No. HD 65 EHT 58, dated the 13th March, 1959 namely :—

In the Schedule to the said notification :—

(1) In the entries relating to serial number 27 Mudhol Police Station, Mudhol Taluk, in column 4 after item 38, the following items shall be added namely :—

"39 Chennal.

40 Mallapur.

41 Mirji.

42 Ranjangi.

43 Uttur.

44 Vantigod."

(2) In the entries relating to serial number 28 Lokapur Police Station, Mudhol Taluk, in column 4, items 10, 17, 27, 31, 37, 40 and 43 shall be omitted.

[No. HD 23 POP 67.]

By Order and in the name of the Governor of Mysore,

1161 BHIM RAO, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th September 1967.

S. O. 1885.—In exercise of the powers conferred under Rule 15 (1) of the Mineral Concession Rules 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 70 EPO 67, dated 17th May 1967 sanctioning a Prospecting Licence for Clay in respect of the area of 85 acres of land in Kallenaballi village, Chitradurga Taluk, Chitradurga District in favour of Shri V. C. Sivaraj as the grantee failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 191 EPO 67.]

By Order and in the name of the Governor of Mysore:

1179 N. NARAYANASWAMY, *Under Secy.*

FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT

ORDER.

Bangalore, dated the 23rd September 1967.

S. O. 1886.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Nav Bharat Slate Works, Bagalkot, on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute

(1) Did the workmen of the Nav Bharat Slate Works, Bagalkot resort to a strike on 18-2-1967? If so, was the strike illegal ?

(2) Is the employer of the Nav Bharat Slate Works, Bagalkot justified in dismissing from service the twenty-two workmen mentioned in the Annexure? Are the said twenty–two workmen entitled to reinstatement with full wages for the entire period of involuntary unemployment ? If not, to what other reliefs are they entitled ?

ANNEXURE

Sriyuths :

1 Vittal Karade.
2 Adivegaya Halagali.
3 Allabux Husseinsab Jamkhandi.
4 Virupaxayya Choukimath.
5 Ramappa Talawar.
6 Fakrusab Badami.
7 Imamsab Badami.
8 Mustafa Sulaiman.
9 Balakrishna Chavan.
10 Ramappa Halabar.
11 Mahamed Jamadar
12 Dongrisab.
13 Amrappa Lamani.
14 Gudusab Konnur
15 Basbaharlatsab Kerur
16 Arjun Chandukar.
17 Ibrahim Sondagar.
18 Muppanna Kattikal.
19 Laxaman Kattikal.
20 Murali Malabar
21 P. Karunakaraw.
22 Laxman Karade.

[No. FCL 536 LLD 67.]

By Order and in the name of the Governor of Mysore,

1163 G. G. PUROHIT, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT.

NOTIFICATION.

Bangalore, dated 21st September 1967.

S. O. 1887.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Coondapur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved Forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) the said Section; and

(iii) appoints the Divisional Forest Officer, Coondapur Division, Coondapur, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara
Name of the Taluk	...	Coondapur.
Name of the Village	...	Jadkal Village.
Survey field No.	...	79
Name of the Block	...	Madibare R. F. Extension Block II.
Area of the Block	...	81. 75 acres.

DESCRIPTION OF THE BOUNDARIES.

North :—Starting from station No 54, a point in the Reserve Forest boundary of Madibare Reserve Forest the line runs along the Reserve Forest boundary line to North-East of the block to station No. 57, passing the intermediate station No. 55 and 56 at a total distance of 1730 links. From station No. 56 the line runs to South-East of the block to station No 59, passing the middle station No 58 at a total distance of 1780 links. From there to South to station No. 60 at a distance of 800 links, From 60th station to South-East to station No. 61 (R. F. O. No. 125) at a distance of 800 links. From there the line runs to North-East to station No. 65, after passing through the intermediate stations 62 to 64 at a total distance of 3480 links. From there the direction changes toSouth-East to station No. 66 at a total distance of 540 links. From 66th station the line runs to North-East corner of the block to station No. 0, after passing the middle station No. 67 at a total distance of 1220 links. The distance and bearing from station to station are as follows :—

Station Number From	To	Bearings in F. B.	Distances in links.
54	55	62	500
55	56	61	600
56	57	62	630
57	58	130	910
58	59	135	840
59	60	174	800
60	61	140	800
61	62	61	1040
62	63	62	880
63	64	39	800
64	65	38	760
65	66	141	540
66	67	66	700
67	0	67	520

East :—From station No. 0 the demarcation line runs to South of the block to station No. 3, after passing through the middle station No. 1 and 2 at a total distance of 800 links. The distance and bearing from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
0	1	150	220
1	2	162	240
2	3	182	340

South :—From station No. 3 the line runs to West to station No. 4 at a distance of 250 links. From there the line runs to South-West to station No. 11 after passing through the intermediate stations 4 to 10 at a total distance of 1935 links. From station No. 11 the line runs to West to station No. 12 at a total distance of 365 links. From station No. 12 again to South-West of the block to station No. 13 at a distance of 345 links. From there to West of the block to station No. 15, after passing the middle station No. 14 at a total distance of 755 links. From 15th station the line further runs to South-West to station No. 17 after passing the middle station No. 16 at total distance of 935 links. Then again the line runs to West of the block to station No. 19 after passing the middle station No. 18 at a total distance of 645 links. From 19th station again the direction changes to South-West to station No. 21, after passing through the middle station No. 20 at a total distance of 725 links. From 21st station again to North of the block to station No. 25, after passing through the middle stations 22 to 24 at a total distance of 1220 links. From 25th station again to North-West to station No. 27, after passing the middle station No. 26 at a total distance of 660 links. From 27th station to West of the block to station No. 31, after passing the middle station No. 28 to 30 at a total distance of 1330 links. From there to South-West of the block to station No. 32 at a distance of 325 links. From 32 station the line runs to South-East to station No. 35 after passing the middle station No. 33 and 34 at a total distance of 1070 links. From 35th station the line further runs to South-West to station No 37.. passing the middle station No. 36 at a total distance of 770 links. Then again from 37th station the line runs through 38th and 39th stations to South of the block to station No. 40, a point on Madibare Reserve Forest boundary line, at a total distance of 885 links. From station No. 40 the line again runs along the Reserve Forest line to west of the block to station No. 41 (R. F. C No. 112) at a distance of 360 links. From 41st station the line runs to South-West to station No. 43 after passing the middle station No. 42 at distance of 1440 links From there the line runs to West to station No. 44 at a distance of 300. links. The distance and bearing from station to station are as follows :—

Station Numbers		Bearings	Distances
From	To	in F. B.	in links.
3	4	275	250
4	5	251	490
5	6	249	220
6	7	255	380
7	8	218	240
8	9	220	395
9	10	200	200
10	11	230	210
11	12	267	365

1	2	3	4
12	13	240	345
13	14	275	440
14	15	275	315
15	16	240	660
16	17	213	275
17	18	259	280
18	19	285	365
19	20	303	415
20	21	296	310
21	22	345	425
22	23	345	250
23	24	338	245
24	25	350	300
25	26	320	210
26	27	334	450
27	28	282	500
28	29	274	230
29	30	260	400
30	31	270	200
31	32	208	325
32	33	146	490
33	34	151	410
34	35	159	170
35	36	215	350
36	37	196	420
37	38	159	370
38	39	160	315
39	40	169	200
40	41	272	360
41	42	242	740
42	43	242	700
43	44	265	300

West:—From Station No. 44 the line runs away from the Reserve Forest Boundary line to North-East to station No. 46 after passing the middle station No. 45 at a total distance of 340 links. From 46th station the line runs to North of the block to station No. 50 a point again on the Reserve Forest boundary line, after passing the intermediate stations from 47 to 49 at a total distance of 1 45 links. From 50th station again the line runs to North-East to station No. 52. (R. F. O. No. 119) after passing through the intermediate station No. 51 at a total Distance of 1210 links. From 52 station the line at last runs to North–West to

station No. 54. after the passing the intermediate station No. 53 at a total distance of 1080 links. The distance and bearing from station to station are as follows —

Station From	Number To	Bearings in F. B.	Distances in links.
44	45	17	130
45	46	24	210
46	47	358	235
47	48	354	390
48	49	7	220
49	50	10	700
50	51	68	600
51	52	67	610
52	53	337	600
53	54	336	480

Other privileges.—

(1) Free grazing of cattle by villagers.
(2) Free removal of dry fuel by villagers.
(3) Free removal of green manure for the *bona fide* use by ryots.
(4) Free removal of muligrass for the *bona fide* use of ryots.

[No. AFD 60 FAF 67.]

By Order and in the name of the Governor of Mysore,

1131 M. W. WINSTON, *Under Secy.*

Health and Municipal Administration Secretariat

NOTIFICATION

Bangalore, dated 25th September 1967

S.O. 1888.—In exercise of the powers conferred by Rule 3 of the Bangalore Water Supply and Sewerage Rules, 1964, read with Section 3 of the Bangalore Water Supply and Sewerage Act, 1964 (Mysore Act No. 3 of 1964), the Government of Mysore hereby reconstitute the Bangalore Water Supply and Sewerage Board and appoints the following persons as Chairman and members for a period of three years with effect *from 1st day of October 1967.*

1. Shri K. Narayana Swamy, IAS,
   Chief Secretary to the Government of Mysore,
   Bangalore-1 — Chairman
2. Shri M. Veeraraj Urs, IAS.,
   Secretary to Government, Finance Department,
   Bangalore-1, — Member
3. Shri Chandappa Patel, IAS.,
   Secretary to Government, Public Works and Electricity Department, Bangalore 1,
4. Shri M. Narasimhaiya, M. I. E., (Ind),
   Retired Chief Engineer for Irrigation, Shankar Mutt Road, Bangalore-4
5. Shri G. R. Ethirajulu Naidu, B. A., B. L.,
   Ex-Advocate General to Government, H. B. Samaj Road, Basavangudi, Bangalore- 4
6. Shri A. Krishna Murthy, M. A., CAIB.,
   Retired General Manager, State Bank of Mysore, Jayanagar, Bangalore-11
7. Shri P. I. Joseph, M. A.,
   Administrator, Binnipet Welfare Department, the Bangalore Woollen Cotton and Silk Mills, Co., Ltd., No. 12 Binny Fields, Bangalore City.

[No. LMA 129 MNY 67.]

By Order and in the name of the Governor of Mysore,

116

N. S. Ramachandra,
Secretary.

REVENUE SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th September 1967.

S. O. 1893.—In exercise of the powers conferred by Section 3 of the Mysore Public Premises (Eviction of Unauthorised Occupants) Act, 1961 (Mysore Act 3 of 1962), and in supersession of Notification No. RD 155 GHR 66, dated the 4th/7th November 1966, the Government of Mysore hereby appoints Shri Farkhunda Ali Khan, Headquarters, Assistant to the Deputy Commissioner, Bangalore District, Bangalore, to be the competent Officer for the purposes of the said Act and directs that he shall exercise the powers conferred and perform the duties imposed on the competent officer by or under the said Act, within the limits of the City of Bangalore, in respect of all categories of public premises other than those under the administrative control of the Police Department and public premises situated within the Industrial Estate under the administrative control of the Industries and Commerce Department.

[No. RD 110 GHR 67.]

By Order and in the name of the Governor of Mysore,

1189 M. K. MADAPPA, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES, LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Yemmigonda Estates, Pollibetta Post, Coorg District.

Award of the Labour Court, Bangalore published.

Read the following papers:

(1) Letter No 612/67-68, dated 4th September 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 4th day of September 1967.

Present:

Sri P. T. KADKOL, B. SC., LL.B. *Presiding Officer.*

Reference, No. 45 of 1966.

Workmen represented by the Secretary, Estates Staff.' Union of South India, Chickmagalur. ... *I Party.*

Vs.

The Management of Yemmigoondi Estate, Pollibetta Post, Coorg District. ... *II Party.*

Reference: Government Order No. LMA 113 LLD 66, dated 6th April 1966.

AWARD

The Government of Mysore being of opinion that an Industrial Dispute exists between the Workmen and the Management of Yemmigoondi Estate, Pollibetta Post, Coorg District have referred it for adjudication to this Court, under Section 10 (1) (c) of the

Industrial Disputes Act, 1947, by their Order No. LMA 113 LLD 66, dated 6th April 1966, setting out the following points of dispute for adjudication :—

"Whether the Management of Yemmigoondi Estate, Pollibetta Post, Coorg (Proprietors: The Consolidated Coffee Estates (1943) Limited, Pollibetta Post, Coorg) are justified in dismissing Sri M. T. Bopaiah, Overseer from service with effect from 31st August 1965. If not, is he entitled to reinstatement with back wages and continuity of service from that date or other relief if any ?"

2. The cause of the aggrieved workman has been sponsored by the Estates Staffs' Union of South India, Chickmagalur, which is a registered trade union. This Union as representing the workmen is the first party and the Management of Yemmigoondi Estate is the second party in this proceeding. Mr. Pinto has appeared for the Union and Mr. K. Ramadas has appeared for the management.

3. In response to the notice issued by this court, the Union has submitted its statement of claims dated 30th April 1966, the management has submitted its statement of objections thereto dated 6th June 1966 and the Union has submitted its rejoinder dated 15th July 1966. On the basis of these pleadings various issues were framed and set down for hearing on 28th November 1966 (*Vide* Order Sheet).

4. The aggrieved workman in this case is M T. Bopaiah who was working as an overseer in the Yemmigoondi Estate under the management of the second party. He sent a memo dated 8th May 1967 to this court by registered post stating that he had decided to withdraw from the present dispute and hence the proceedings may be closed. It was received in this Court on 12th May 1967. As the case was to be heard in Mercara notice was issued to both the parties to appear before me in Mercara on 30th August 1967.

5. When the case was called at Mercara on that day, it was found that Mr. Pinto was not present. The aggrieved workman M. T. Bopaiah, however, was present. Mr. Ramadas was present for the management. When questioned by me, the aggrieved workman Bopaiah stated that he did not want to prosecute this

dispute. I recorded his deposition the same day and it is W W 1. The memo sent by him is marked Ex A. In his deposition before me Bopaiah has stated that he wants to withdraw from this dispute and further he has sent the memo Ex.A. to this court duly signed by him. Since the aggrieved workman himself does not want to press this reference, it shall have to be rejected. Hence I make an Award as under:

AWARD

The Reference is rejected as requested by the aggrieved workman M. T. Bopaiah in the memo marked Ex.A. which should be annexed to this Award and be deemed as forming part thereof. No costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"
P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT, BANGALORE.

In the matter of Ref No LMA 113 LLD 66
dated 6th April 1966 (Ref. No. 47 of 1966)

Sri M. T. Bopaiah, Overseer, Yemmigoondi Estates. Pollibetta P.O., Coorg District, represented by the Estates Staffs' Union of South India, 'ESUSI House' Vijayapura Extension, Chikmagalur. ... *I Party.*

Vs

The Management, Yemmigoondi Estates, Pollibetta P O., Coorg District ... *II Party.*

I beg to bring to the kind notice of the Honourable Labour Court the above Reference No. LMA 113 LLD 66, dated 6th April 1966 (Ref. No. 47 of 1966) pending before the Court for adjudication.

I have now decided to withdraw the above dispute on my own accord and I have no claim whatsoever with the II Party Management in the above dispute.

I would kindly request the Honourable Court to close the above papers as I am withdrawing the above dispute voluntarily pending before the Honourable Labour Court.

A copy of this petition is sent to the IInd Party Management and also the Secretary for Mysore State. Estates Staffs' Union of South India, ESUSI HOUSE, Vijayapura Extension, Chikmagalur, for information.

Dated this the 8th day of May 1967 at Pollibetta, Coorg.

(Sd.) M. T Bopaiah
Ist Party.

I give below my present address :— M T Bopaiah,
Dhanugala Village,
Mayamudi Post,
S. Coorg.

Seen to day.
To be taken up at Mercara
Intd P T. K.
12/5
Marked Ex A.
Intd. P. T. K.
30/8.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 14th September 1967.

S. O 1894.—WHEREAS by State Government Order No. LMA 113 LLD 66, cated 6th April 1966, the Industrial Dispute between the Workmen and the Management of Yemmigonda Estates, Pollibetta Post, Coorg District, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No LMA 113 LLD 66.]

By Order and in the name of the Governor of Mysore,

1102 G. G. PUROHIT, *Under Secy.*

Home Secretariat.

NOTIFICATION.

Bangalore, dated 26—27th September 1967.

S. O 1895.—The following draft of directions which the Government of Mysore proposes to issue to the State Transport Authority in exercise of the powers conferred by sub-section (1) of Section 43 of the Motor Vehicles Act, 1939 (Mysore Act IV of 1959) and in partial modification of Government Notification No. HD 5 MVA 57, dated 6th October 1959 regarding reciprocal agreement entered into between Governments of Kerala and Mysore in regard to Inter-State operation of transport vehicles, is hereby published as required by the proviso to the said sub-section for the information of all persons likely to be affected thereby, and notice is hereby given that the draft directions will be taken up for consideration by Government after 13th November 1967.

Objections or suggestions, if any, which may be received from any person by the Government of Mysore in respect of the said draft directions before the date specified above will be considered by the State Government. Objections or suggestions may be addressed to the Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1.

DRAFT DIRECTIONS

The State Transport Authority is directed to take necessary action to give effect to the following modifications agreed to between the Governments of Mysore and Kerala to the reciprocal agreement existing between the two States, namely:—

1. It is agreed that no standing passengers shall be permitted in Stage Carriages plying on Inter-State routes under the reciprocal agreement except on short distance routes; short distance route for this purpose being a route which penetrates a distance not exceeding 10 miles in the reciprocating State.

2. It is also agreed that the reciprocal arrangement existing between the two States shall be subject to review at the instance of either of the State Governments.

[No. HD 38 TMI 62.]

By Order and in the name of the Governor of Mysore,

C. RAJANNA, *Under Secretary.*

Revenue Secretariat.

ERRATUM

Bangalore, dated 27th September 1967.

S. O. 1896.—Please read file No. as RD 66 TCO instead of RD 66 TCO 66;

Please insert as S. No. 4 and Hissa No. 3 under columns 8 and 9 against the total area of 3-14 in column 10 relating to Khata No. 44 of the Government order dated 23-8-1967;

Rs-A-Ps.	Rs-A-Ps.

Please read as 0-5-6 instead of 0-5-0 under column 11 relating to Hissa No. 3c Part, S. No. 160 and Khata No. 122 mentioned in Government order under reference.

[No. RD 66 TCO 65-]

By Order and in the name of the Governor of Mysore,

M. K. Madappa, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 25th September 1967.

S.O. 1897.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction permanent affiliation of the Vijaya College, Mulki to the Mysore University to run the Pre-University Course in Arts with History, Economics, Logic combinations with effect from 1967-68 and continuation of affiliation to run the following courses for the periods noted against each :—

(i) Pre-University (Commerce) for three years from 1967-68 History, Economics, Commeroe.

(ii) B. A. Degree (All the three courses) for three years from 1967-68

Economics Sociology (Majors) Political Science (Minor)

Economics, Sociology, (Majors), Philosophy, (Minor),

Economics, Philosophy (Majors) Political Soience (Minor);

(iii) B. Com., Degree (All the three years) for three years from 1967-68.

(iv) B. Sc., Degree (All the three years) from 1967-68 Physics, Mathematics (Majors) Chemistry (Minor 36 students);

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 90 UAC 67.]

By Order and in the name of the Governor of Mysore,

1108 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 23rd—26th September 1967.

S. O. 1898.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore a s pleased to sanction continuation of affiliation of the K. G. F. First Grade College, Ooragaum to the Mysore University, for teaching the following courses:—

(i) P. U. C. (Arts) History, Economics, Logic

(ii) P. U. C. (Commerce) Economics, Geology, Commerce.

(iii) B. Com. Degree (I & II Years)

(iv) B. Sc. Degree (III Year)

Physics, Geology (Majors) Mathematics (Minor) 24 students.

Physics, Chemistry (Majors) Mathematics (Minor) 36 students

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 75 UAC 67.]

By Order and in the name of the Governor of Mysore,

1177 S. N. SREENATH, *Under Secy.*

General Administration Secretariat.

NOTIFICATION.

Bangalore, dated 25th September 1967.

S. O. 1899.—In exercise of the powers conferred by sub-section (2) of Section 4 of the Mysore Secondary Education Examination Board Act, 1966 (Mysore Act No. 16 of 1966), the Government of Mysore hereby appoints Sri V. B. Desai, Additional Director of Public Instruction in Mysore, as Chairman, Mysore Secondary Education Examination Board.

[No. GAD 74 SHD 67.]

By Order and in the name of the Governor of Mysore,

1190 B. Purushotham, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th September 1967.

S. O. 1900.—In exercise of the powers conferred under Rule 15(1) of the Mineral Concession Rules, 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. 306 EPO 65, dated 23rd May 1967 sanctioning a Prospecting Licence for Iron Ore in respect of the area of 560 acres of land in Sige, Veerapura and Kalldevarahalli villages, Hassan Taluk, Hassan District in favour of Messrs. Mineral Enterprises (P) Limited, as the grantees failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 192 EPO 67.]

By Order and in the name of the Governor of Mysore,

1178 N. NARAYANASWAMY, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT.

NOTIFICATION.

Bangalore, dated 21st September 1967.

S. O. 1901.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in schedule hereto annexed, as reserved forest ;

(ii) appoints the Forest Settlement Officer, Mangalore, to be the Forest Settlement Officer for purposes of clause (c) of the said section ; and

(iii) appoints the District Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara
Name of the Taluk	...	Puttur
Name of the Village	...	Volamogru.
Survey Field No.	...	80/1
Name of the Block	...	Volamogru Block II.
Extent in acres	...	13. 40 acres

BOUNDARY DESCRIPTION

North :—Starting from station No. 1 a point which is situated at the newly constructed cairn No. 1, the demarcation line of the proposed block runs first in almost south-east direction, a distance of 940 links to reach the station No 3, passing through the intermediate station No. 2.

Thence it continues in north-east direction near 'Kurdacherl' to station No. 4, a distance of 500 links. From there it runs in northern direction to station No. 5, a distance of 470 links. Against runs in south east direction to station No. 6, a distance of 285 links. Then it runs in north-east direction to station No. 7 a distance of 650 links. Therefrom it runs near 'Aleke' in South-west direction to station No. 8 a distance of 444 links. From there it continues near 'Aleke' in almost south-east direction, a distance of 807 links to reach the station No. 10, passing through the intermediate station No. 9. bearings and distances from station to station are as follows :—

Station From	Number To	Bearings in in r.B.	Distance in links
1	2	110	390
2	3	127	550
3	4	56	100
4	5	35-3/4	470
5	6	110-1/2	285
6	7	71	650
7	8	202	444
8	9	140-1/2	377
9	10	106-1/2	430

Kasti—Thence the demarcation line runs in almost south-west direction near 'Muruva Kyle' a distance of 1874 links to reach the intermediate stations 11 and 12. From there it runs in north-west direction to station No. 14, a distance of 495 links, again it runs in western direction to station No 15, a distance of 515 links. Then runs in southern direction to station No. 16 a distance of 446 links, and runs in south-west direction to station No. 17 a distance of 260 links From there it runs in southern direction to station No. 18 a distance of 407 links. From there it runs in south-east direction near 'Muruva Kyle' a distance of 616 links to reach the station No. 19 From there it runs in almost eastern direction a distance of 1215 links to reach the station No. 22, passing through the intermediate stations 20 and 21. Again it runs in south-west direction to station No. 23, a distance of 667 links. Thereafter the line runs in almost south-east direction to a distance of 1050 links to reach station No. 26, passing through the intermediate stations 24 and 25. Again it runs in almost southern direction near 'Ujred kyle' a distance of 518 links to reach the station No. 28, passing through the intermediate station 27. Again it runs in south-west direction to station No 29 a distance of 250 links. Again it runs in southern direction to station No. 30 a distance of 296 links. Thence it runs in south-east direction to station No. 31 a distance of 330 links. Therefrom the line continues near 'Ujrody Ryle' in almost south-west direction to station No. 32, a distance of 816 links.

The bearings and distances from station to station are furnished below :—

Station From	Number To	Bearings in F.B.	Distance in links
10	11	202½	364
11	12	2 3	770
12	13	260½	740
13	14	342	495
14	15	263½	545
15	16	170½	446
16	17	228½	260
17	18	171½	407
18	19	124	618
19	20	96	668
20	21	87	362
21	22	85½	215
22	23	190	667
23	24	104	203
24	25	159½	215
25	26	146	632
26	27	193½	296
27	28	185½	222
28	29	233	250
29	30	185½	293
30	31	127½	330
31	32	191	616

South :—Thence the demarcation line runs near 'Mulidka Byle' in almost north-west direction a distance of 753 links to reach the station No. 34, passing through the intermediate station 33. From there it continues in almost south-west direction near 'Muliadka Byle' to station No. 35, a distance of 596 links. Bearings and distance from station to station are as follows :—

32	33	285½	293
33	34	321	460
34	35	25 ½	596

West : Thence the boundary line runs in north-west direction near 'Anikutelu' a distance of 584 links to reach the station No. 37, passing through the intermediate station No. 36. From there it runs in north-east direction to station No. 38, a distance of 415 links. From there it runs in almost northern direction near 'Kuttinopia ka' a distance of 850 links to reach station 40 passing through the intermediate station 39. Thence it runs in north-east direction to station No. 41 a

distance of 330 links. Again it runs in almost northern direction to station No. 42, a distance of 423 links. From there it runs in almost western direction a distance of 1045 links to reach station No. 44 passing through the intermediate station No. 43. Again it runs near 'Ilingala byle' in north-west direction to station No. 45 a distance of 350 links. Thence it runs in northern direction to station No. 46 a distance of 228 links. From there it continues near 'Ilanjala byle' in almost north-west direction a distance of 695 links to reach the station No. 48 passing through the intermediate station 47. Therefrom the line runs near 'Gurikumeru' in almost north-east direction a distance of 1148 links to reach the station No. 51, passing through the intermediate stations 49 and 50. From there it runs in almost western direction to station No. 52, a distance of 300 links. From there it runs in almost north-east direction a distance of 415 links to reach the station No. 54 passing through the intermediate station 53. Again it continues near 'Gurikumeru' in northern direction to station No. 55, a distance of 375 links. From there the line runs in north-west direction a distance of 175 links to reach the station No. 56 which is a point situated at the survey stone and finally the line continues in the same north-west direction a distance of 200 links to reach the station No. 1 which is the starting point. The bearings and distance from station station to are as follows :—

Station From	Number To	Bearings in F. B.	Distance in links
35	36	322	256
36	37	327½	328
37	38	39	415
38	39	357	375
39	40	351	475
40	41	32	330
41	42	351	423
42	43	273	545
43	44	260	500
44	45	322½	350
45	46	359	228
46	47	294½	365
47	48	327	330
48	49	38	288
49	50	55	285
50	51	39½	575
51	52	279½	300
52	53	15	200
53	54	28	215
54	55	6	375
55	56	345	175
56	1	351½	200

Starting point

Right of ways to be allowed :—

(1) Cart track :—From 'Parpunja' a cart track enters the block between cairn Nos. 3 and 4 and comes out of the block between cairn Nos. 13 and 14, which again enters the block between cairn Nos. 18 and 19 and comes out of the block between cairn Nos. 42 and 43. Again it enters the block between cairn Nos. 37 and 38 and leaves the block between cairn Nos. 34 and 35 and goes to 'Nanelthadka'.

(2) Foot paths :—(a) A footpath enters the block between cairn Nos. 6 and 7 and biforcates into two (inside the blok). One of its branch leaves the block between cairn Nos. 10 and 11 and goes to 'Aleke' and another branch leaves the block between cairn Nos. 11 and 12 and goes to 'Muruva'.

(b) Another footpath starts from the cart track inside the block and leaves the block between cairn Nos. 53 and 54 and goes to 'Gurikumeru'.

Other Rights :—

(a) Free grazing of cattle by villagers.

(b) Free removal of green manure leaves for *bona fide* use by ryots.

(c) Free removal of dry fuel for *bona-fide* use by villagers.

[No. AFD 179 FAF 66.]

By Order and in the name of the Governor of Mysore,

1130 M. W. WINSTON, *Under Secy.*

NOTIFICATION

Bangalore, dated 21st September 1897,

S. O. 1902.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Sullia Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forests;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara
Name of the Taluk	...	Sullia
Name of the Villages	...	Uberadkamithur Village and Sullia Village.
Survey field Numbers	....	276 of Uberadkamithur Village and 48/2, 47/6, 46/4 and 461A 4A of Sullia Village.
Name of the Block	...	Uberadkamithur Block.
Extent	...	218.20 Acres.

Boundary Description.

North.—Starting from the station No. 36 (Newly constructed cairn No. 34), the demarcation line of the proposed block runs in almost South-East direction distance of 2214 links to reach the station No. 40, passing through the intermediate stations 37 to 39 Thence it runs in North-East direction to station No. 41 a distance of 304 links. Thence it runs in Eastern direction to station No. 42, a distance of 595 links. Again it runs in almost North-East direction a distance of 926 links to reach the station No 44, passing through the intermediate station 43. Again it runs in almost South-East direction a distance of 816 links to reach the station No. 46, passing through the intermediate station 45. Thence it runs to station No. 47 in South-West direction, a distance of 391 links. Again it runs in South-East direction station No. 48, a distance of 500 links. From there it runs in almost North-East direction, a distance of 869 links to reach the station No. 50, passing through the intermediate station 49. From there it runs in almost South-East direction a distance of 685 links to reach the station No. 52, passing through the intermediate station 51. There onwards, the line runs in almost North-East direction a distance of 2074 links to reach the station No. 57, passing through the intermediate stations 53 to 56. Thence it runs in almost South-East direction a distance of 788 links to reach the station No. 59, passing through the intermediate station 58. Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distance in links
36	37	111	474
37	38	159½	374
38	39	155	840
39	40	117½	526
40	41	60	304
41	42	89½	595
42	43	63	433
43	44	17½	493
44	45	142	539
45	46	164½	277
46	47	207½	391
47	48	133½	500
48	49	36½	435
49	50	45	434
50	51	106½	245
51	52	122	440
52	53	35	255
53	54	35	352
54	55	77	487
55	57	55½	551
57	58	128½	435
58	59	108	353

East :—Thence the line runs first in South-West direction to station No. 60, a distance of 687 links. From there it runs in almost Western direction to station No. 61, a distance of 315 links. Thence it runs in almost South-West direction a distance of 2605 links to reach the station No. 66, passing through the intermediate stations 62 to 65. From there it runs in Southern direction to station No. 67, a distance of 237 links. Again it runs in South-East direction to station No. 68, a distance of 313 links. Therefrom it runs in Eastern direction a distance of 767 links to reach the station No. 70, passing through the intermediate station 69. There onwards, it runs in almost North-East direction a distance of 1589 links to reach the station No. 74, passing through the intermediate stations 71 to 73. Again it runs in almost Eastern direction a distance of 434 links to reach the station No. 76, passing through the intermediate station 75. There onwards the line runs in almost South-East direction a distance of 1575 links to reach the station No. 81, passing through the intermediate stations 77 to 80. Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distance in links
59	60	204½	687
60	61	260	315
61	62	244½	465
62	63	251	582
63	64	229	773
64	65	213½	436
65	66	212	349
66	67	178½	237
67	68	149	313
68	69	85½	378
69	70	92½	389
70	71	53½	368
71	72	38	400
72	73	57½	483
73	74	44	338
74	75	99	300
75	76	101½	134
76	77	121½	291
77	78	147½	357
78	79	163	332
79	80	160½	300
80	81	151	295

South.—Thence the line runs in almost Western direction a distance of 1439 links to reach the station No. 85, passing through the intermediate stations 82 to 84. From there it runs in South-West direction to station No. 86, a distance of 386 links. From there it runs in Southern direction to station No. 87, a distance of 283 links. Again it runs in almost Western direction to station No. 88, a distance of 350 links. Again it runs in Southern direction to station No. 89, a distance of 382 links. Thence it runs in almost South-West direction to station No. 90, a distance of 195 links. Thence it runs in almost South-West direction, a distance of 1291 links to reach the station No 94, passing through the intermediate stations 91 to 93. Form there it runs in almost North-West direction to station No. 95, a distance of 263 links. Thence it runs in South-West direction to station No. 96, a distance of 585 links. Thence the line continues in almost Southern direction, a distance of 823 links to reach the stations No. 99 passing through the intermediate stations 97 and 98. Thence it runs in North-West direction to station No. 100, a distance of 442 links. Again it runs in South-West direction to station No. 101, a distance of 365 links. From there it runs in North-West direction, a distance of 615 links to reach the station No. 103, passing through the intermediate station 102. Thence it runs in North-West direction, a distance of 718 links to reach the station No. 105, passing through the intermediate station 104. From there it runs in almost Western direction to station No 106, a distance of 348 links. Therefrom the line continues in almost North-West direction a distance of 939 links, passing through the intermediate stations 107 and 108 to reach the station No. O, which is a point situated at 250 links, Eastern direction of the village boundary stone.

Bearings and distances from station to station are as follows :—

Station From	Numbers To	Bearings in F. B.	Distance in links.
1	2	3	4
81	82	263½	288
82	83	266½	413
83	84	263½	325
84	85	260	413
85	86	238½	386
86	87	187	283
87	88	245	350
88	89	180½	382
89	90	151½	195
90	91	223½	342

1	2	3	4
91	92	234	275
92	93	241½	391
93	94	256½	283
94	95	337	263
95	96	247	585
96	97	180	328
97	98	180	297
98	99	182	198
99	100	290	442
100	101	198	365
101	102	288	240
102	103	285	375
103	104	199½	590
104	105	199½	128
105	106	255	348
106	107	286	300
107	108	291	299
108	0	312½	340

West.—Thence the line runs in almost Eastern direction, a distance of 715 links to reach the station No. 2, passing through the intermediate station 1. From there it runs in almost Northern direction to station No. 3, a distance of 431 links. Again it runs in almost North-East direction to station No. 4, a distance of 630 links. Again it runs it almost Northern direction a distance of 1240 links to reach the station No. 7, passing through the intermediate stations 5 and 6. From there it runs in North-West direction to station No. 8, a distance of 303 links. Again it runs in almost Northern direction to station No. 9, a distance of 487 links. Thence it runs in North-West direction to station No. 10, a distance of 604 links. Again it runs in almost South-West direction to station No. 11, a distance of 232 links. Again it runs in Northern direction to station No. 12, a distance of 422 links. Thence it runs in North-West direction to station No. 13 a distance of 400 links. Again it runs in due West direction to station No. 14, a distance of 487 links. Thence it runs in North-West direction to station No. 15, a distance of 244 links. From there it runs in almost North-East direction a distance of 527 links to reach the station No. 18, passing through the intermediate stations 16 and 17. From there it runs in North-East direction to station No. 19, a distance of 513 links. Again it runs in North-West direction to station No. 20, a distance of 373 links. Therefrom, the line runs in almost South-West direction, a distance of 1540 links to reach the station No. 24 passing through the intermediate stations 21 and 23. Again it runs in North-West direction to station No. 25, a distance of 243 links. Thence

the line runs in almost Northern direction a distance of 1204 links to reach the station No. 29, passing through the intermediate stations 26 to 28. From there, it runs in almost North-East direction a distance of 1093 links to reach the station No. 32, passing through the intermediate stations 30 and 31. From there, it runs in North-West direction to station No. 33, a distance of 518 links. Again it runs in Northern direction to station No. 34, a distance of 630 links. Finally the line runs from there in North-East direction, a distance of 250 links to reach the station No. 36, which is the starting point, passing through the intermediate station 35.

Bearings and distances from station to station are as follows:—

Station From	Numbers To	Bearings in F. B.	Distance in links
1	2	3	4
0	1	91	135
1	2	95¼	280
2	3	16	431
3	4	75	630
4	5	3	608
5	6	352	249
6	7	355	383
7	8	329	303
8	9	5	487
9	10	292	604
10	11	251	232
11	12	350	422
12	13	326	400
13	14	254	487
14	15	295	244
15	16	359	100
16	17	6	180
17	18	6½	247
18	19	71½	513
19	20	332½	373
20	21	243½	130
21	22	254½	321
22	23	231	319
23	24	185	400
24	25	311½	243
25	26	2½	528

1	2	3	4
26	27	335	338
27	28	358½	100
28	29	4	238
29	30	27	424
30	31	54	240
31	32	16	429
32	33	327	518
33	34	354½	630
34	35	19	150
35	36	33	100
		Starting Point	

Right of ways to be allowed.

(a) Fair weather road —It enters the block between cairn Nos. 7 and 8 and comes out between cairn Nos. 39 and 40 and joins Jalsoor-Subramanya Road.

(b) Footpath:—A footpath starts from the 'fair weather road' in the middle of the block and comes out between cairn Nos. 48 and 49 and goes to 'Kumbachimanehyle'.

Other Privileges.—

(1) Free grazing of cattle by villagers.

(2) Free removal of green manure leaves for *bona fide* use by ryots.

(3) Free removal of dry fuel for *bona fide* use by villagers.

[No AFD 188 FAF 66.]

By Order and in the name of the Governor of Mysore,

1128 M. W. WINSTON, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT.

NOTIFICATION.

Bangalore, dated 22nd September 1967.

S.O. 1903.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant to Messrs. Indian Aluminium Company Ltd., of a Mining Lease for thirty years for Bauxite and Aluminous laterite in respect of the area of 231-20 acres (93.56 hectares) of land in Betne Village, Khanapur Taluk, Belgaum District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Bauxite and Aluminous laterite only. If other minerals are found in association with Bauxite and Aluminous laterite, they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Bauxite and Aluminous laterite, he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 25 per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If Beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948, is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining leases including the present one shall not exceed 25.9 Sq. Kilometres.

(*l*) Government shall have the right of purchasing the ore at current market rates.

(*m*) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

[No. CI 130 EMI 67.]

By Order and in the name of the Governor of Mysore,

1162 N. NARAYANASWAMY, *Under Secy.*

Education Secretariat.

NOTIFICATION

Bangalore, dated 27th September 1967

S. O. 1994.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949) the Government of Mysore are pleased to sanction continuation of affiliation of the Shri Annadaneshwar College, Naregal to the Karnatak University, for teaching ;

(i) Pre-University Arts.

(ii) B. A., Part I.

and extension of affiliation for teaching Pre-University Course Science for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 70 UAC 67.]

By Order and in the name of the Governor of Mysore,

1185 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 22nd-25th September 1967.

S. O. 1905.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction permanent affiliation of the J. C. B. M. College, Sringeri to the Mysore University to run the Pre-University Course with History, Economics, Logic Combination with effect from 1967-68, and continuation of affiliation to run the following courses :—

(i) Pre-University Course (Commerce) for three years from 1967-68, History, Economics, Commerce.

(ii) Pre-University Course (Science) for 1967-68
Physics, Chemistry, Mathematics
Physics, Chemistry, Biology
(total intake of 192 students for both the combinations)

(iii) B. A. Degree (I and II years) for 1967-68
Indology, Philosophy (Majors) Sanskrit (Minor)
Indology, Philosophy (Majors), Kannada (Minor)
History, Economics, (Majors), Sanskrit (Minor)
History, Economics, (Majors) Kannada (Minor)

(iv) B.A. Degree (First Year) for 1967-68.
Philosophy, Indology (Majors) English (Minor)
History, Economics, (Majors) English (Minor)

(v) B. Com. Degree (I and II years) for 1967-68.

(vi) B. Sc. Degree (I year) for 1967-68 :
Physics, Chemistry (Majors), Mathematics (Minor) 32 students.
Physics Mathematics (Majors), Chemistry (Minor) 32 students.
Botany, Zoology (Majors), Chemistry (Minor) 32 students.

(vii) B. Sc. Degree (II year) for 1967-68

Physics, Chemistry (Majors) Mathematics (Minor)
Botany, Zoology (Majors), Chemistry (Minor)
(each 32 students.)

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 74 UAC 67.]

By Order and in the name of the Governor of Mysore,

1163 S. N. SREENATH, *Under Secretary.*

Home Secretariat.

NOTIFICATION.

Bangalore dated 26th September 1967.

S. O. 1906.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Mysore Home Guards Act, 1962 (Mysore Act 35 of 1962), the Government of Mysore hereby appoints Shri H. B. Dyavarappa, Advocate, Kolar, as Commandant, Home Guards with jurisdiction over Kolar District (except K. G. F.) from 26th September 1967, upto 31st March 1968.

[No. HD 150 SHG 67.]

By Order and in the name of the Governor of Mysore,

1184 G. S. Telang, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

ORDER.

Bangalore dated the 26th September 1967

S. O. 1907.—Whereas an Industrial dispute existing between the workmen and the management of New Taj Mahal Cafe (P) Limited, Mangalore, on the following issue, has been referred to the industrial Tribunal, Bangalore for disposal in Government Order No. LMA 345 LLD 67, dated 19th June 1967.

Whereas the management of New Taj Mahal Cafe (P) Limited, Mangalore has made a reference to Government to transfer the dispute from the Industrial Tribunal, Bangalore to the Additional Industrial Tribunal, Bangalore.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 33-B of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Mysore hereby withdraws the proceedings under the said Act before the Industrial Tribunal and transfers the proceedings to the Additional Industrial Tribunal, Bangalore for disposal.

Points of Dispute.

"Is the management of New Taj Mahal Cafe (P) Ltd., Mangalore required to give free medical aid or to bear the expenses of their workers whenever they fall ill?

If not, to what other relief are the workers entitled?"

(No. FCL 345 LLD 67.)

By order and in the name of the Governor of Mysore,

181 G. G. Purohit, *Under Secy*

ORDER.

Bangalore, dated 26th September 1967.

S. O. 1908.—WHEREAS an Industrial Dispute exists between the workmen and the management of New Taj Mahal Cafe (P) Limited, Mangalore on the following issue has been referred to the Industrial Tribunal, Bangalore, for disposal in Government Order No. LMA 357 LLD 67, dated 20th June 1967;

AND WHEREAS the management of New Taj Mahal Cafe Limited, Mangalore, has made a reference to Government to transfer the dispute from the Industrial Tribunal, Bangalore to the Additional Industrial Tribunal, Bangalore.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 33-B of the Industrial Dispute Act, 1947 (Central Act No. 14 of 1947), the Government of Mysore, hereby withdraws the proceedings under the said Act before the Industrial Tribunal and transfers the said proceedings to the Additional Industrial Tribunal, Bangalore for disposal

Points of Dispute.

"I. Are the workmen of various establishments belonging to the New Taj Mahal Cafe (P) Limited, Mangalore entitled to revision and fixation of their pay scales with effect from 1st January 1964 as follows:—

1.	Cleaners	....	Rs. 30–5–75
2.	Suppliers and Helpers	....	Rs. 50–5–100
3.	Preparation Department Coffee and other things		Rs. 70–5–125

II. If not to what other pay scales or reliefs are they entitled ?"

[No FCL 357 LLD 67.]

By Order and in the name of the Governor of Mysore,

721 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated 26th September 1967.

S. O. 1910.—WHEREAS the Government of Mysore are of opinion that an industrial dispute exists between the Workmen and the Management of Shanta Picture Palace, Virajpet, Coorg District on the points noted below :

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication ;

NOW THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court Bangalore.

Points of Dispute.

"Whether the management of Shantha Picture Palace, Virajpet, Coorg District is justified in terminating the services of Sri K. R. Kaleel, Gate Keeper, with effect from 28th September 1966.? If not, is the workman entitled to reinstatement with backwages or to any other relief if any ?"

[No. FCL 554 LLD 67.]

By Order and in the name of the Governor of Mysore,

1183 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated the 29th September 1967.

S. O. 1911.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Standard Electronic Engineering Corporation, No. 99, Brigade Road, Bangalore-25, on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

"Is the Management of M/s. Standard Electronic Engineering Corporation, No. 99, Brigade Road, Bangalore–25, justified in terminating the services of Miss D' Souza ?

If not, what other relief Miss D' Souza, entitled to ?"

[No. FCL 550 LLD 67.]

By Order and in the name of the Governor of Mysore,

1198 G. G. PUROHIT, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 22nd—25th September 1967.

S.O. 1912—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Desheeya Vidyashala College of Arts and Science, Shimoga to the Mysore University, for teaching the following courses :—

(i) B. A. Degree (First year).

History, Political Science (Majors), Economics (Minor).

Economics, Political Science (Majors), History (Minor).

Economics, Kannada (Majors), History (Minor).

Economics, Sociology (Majors), Political Science (Minor).

English, History (Majors), Socialogy (Minor).

History, Economics (Majors), Political Science (Minor).

(ii) B.Sc. Degree (First Year).

Mathematics, Statistics (Majors), Economics (Minor).

and extension of affiliation for teaching the following courses:

(i) B. A. (Second Year).

History, Political Science (Majors), Economics (Minor).

Economics, Political Science (Majors), History (Minor).

Economics, Kannada (Majors) History, (Minor).

(ii) B.Sc. (Second Year).

Mathematics, Statistics (Majors), Economics (Minor).

and fresh affiliation to run the B.Sc. Degree course (First Year) with Physics, Mathematics (Majors), Statistics (Minor) for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No.ED 84 UAC 67.]

By Order and in the name of the Governor of Mysore,

1175 S. N. SREENATH, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT.

NOTIFICATION.

Bangalore, dated 28th September 1967.

S.O.1913.—In exercise of the powers conferred by Section 19 of the Hyderabad Forest Act, 1355 Fasli (Hyderabad Act II of 1355 Fasli), as in force in the Hyderabad Area, the Government of Mysore with reference to the Government Notification No. S.O. 3476 (No. AFD 72 FAF 65), dated the 27th September 1965 published at pages 3009–10 of part IV–2–C (ii) of the *Mysore Gazette* dated 14th October 1965 hereby declares the land in Gangavati Taluk, Raichur District, specified in Schedule 'A' below to be reserved forest with effect from 1st October 1967 subject to exercise of the rights specified in Schedule 'B'.

SCHEDULE 'A'

Name of the Village and Block	Name of Range	Nature of land	Sy. Nos. included in the block	Area in Acres and Gts.
Virapapur Gaddi Taluk Gangavathi	Gangavathi	Parampok	49	248–26
			Total	248–26

BOUNDARIES

North : A to B.—The Forest boundary line starts from the point 'A' in the direction South-East corner in a zig-zag manner excluding Sy. Nos. 3, 2, 1 and changes its directions towards South and reaches the point 'B'.

East B to C.—From here the forest boundary line takes its directions towards South including Sy. No. 49 Parampok and reaches the point 'C'.

South C to D.—From here boundary line runs to the west to some extent and goes in the direction of North–West corner and downs towards South–West excluding Sy. No. 48 and further proceeds in a more zig-zag manner in the direction of North–West corner, and the cart track, passes in between Sy. Nos. 41, 40 and excluding Sy. Nos 47, 46, 45, 44, 41, 40 reaches the point 'D'.

West D to A.—From the point 'D' boundary starts towards North–East corner cutting the cart track 2 chains from the 'D' Station and reaches the starting point 'A'.

SCHEDULE 'B'

The paths and cart tracks will be opened for persons and cattle for passing through the forest block as usual. The villagers are allowed to graze their cattle in these portions of the forest block where fresh plantation has not been taken up by the Forest Department.

[No. AFD 213 FAF 66]

By Order and in the name of the Governor of Mysore,

1193 M. A. MECCAI, *Under Secy.*

PUBLIC WORKS SECRETARIAT.

NOTIFICATION.

Bangalore, dated 26th September 1967.

S. O. 1914.—In exercise of the powers conferred by Section 3 of the Mysore Electricity (Taxation on consumption) Act, 1959 (Mysore Act 14 of 1959), the Government of Mysore hereby makes the following amendment to the Notification No. PWD 2 ETS 66, dated 29th March 1966, namely :—

In the Table to the said Notification, in the entries relating to Item II in Column (3), for the figure and letters "2 paise" the figure and letters "1·5 paise" shall be substituted.

[No PWD 13 ETS 67.]

By Order and in the name of the Governor of Mysore,

1191 S. BALASUBRAMANYAN, *Under Secy.*

NOTIFICATION.

Bangalore, dated 29th September 1967.

S. O. 1915.—In exercise of the powers conferred by sub-section (1) of Section 47 of the Mangalore Port Trust Act, 1963 (Madras Act XV of 1963), the Government of Mysore hereby sanctions the following Amendments to the Statement of Conditions and scale of rates framed by the Board under Sections 44 and 45 of the said Act namely:—

In Schedule C to the said statement of Conditions and scale of rates, after Item 1, the following item shall be added namely:—

2. Rates of rent for the open transit sheds.

(a) Rent at Rs. 40 per shed per day or part thereof irrespective of the space occupied, in the case of Fertilizers and foods grains.

(b) *Pro-rata* to the space occupied at Rs. 40 per shed area per day or part thereof for stacking cargo other than fertiliyers and foods grains.

Explanation.—For purposes of this item, 'day' means the calendar day.

Goods will be stored at owner's risk and the Port Trust Board accepts no responsibility for its safe custody".

[No. PWD 4 PMT 67.]

By Order and in the name of the Governor of Mysore,

1203 B. U. VENKATARAMANAIAH, *Under Secy.*

HOME SECRETARIAT.

ORDER.

Bangalore, dated 25—27th September 1967.

S. O. 1916. WHEAEAS the Government of Mysore is satisfied that the Motor Vehicle specified in the Schedule having an overhang in excess of that specified in sub-rule (2) of Rule 203 of the Mysore Motor Vehicles Rules, 1963 can be used in a public place without any danger to public safety;

NOW, THEREFORE, in exercise of the powers conferred by the second proviso to sub-rule (2) of Rule 203 of the Mysore Motor Vehicles Rules, 1963 and in supersession of the Order No. HD 347 TMA 64, dated the 17th December 1964, the Government of Mysore hereby exempts the said motor vehicle from the provisions of sub-rule (2) of Rule 203 of the said rules within the area of the whole of the State of Mysore.

SCHEDULE

Motor Vehicle of the Karnatak Medical College, Hubli bearing Engine No. SPC 71956 and Chassis No. P4B 21156 having an overhang of forty-eight per cent of the wheel-base.

[No. HD 150 TMA 65.]

By Order and in the name of the Governor of Mysore,

1192 C. RAJANNA, *Under Secretary.*

Finance Secretariat

NOTIFICATION.

Bangalore, dated the 25th September 1967.

S. O. 1917.—In exercise of the powers conferred by Section 16 of the Mysore Entertainments Tax Act, 1958 (Mysore Act No. 30 of 1958), and in partial modification of Notification No. RD 95 ENX 58–2, dated 1st January, 1959, the Government of Mysore hereby delegates the powers specified in Column (2) of the schedule below to the Officers specified in the corresponding entry in Column (3) therof :—

SCHEDULE

Sl. No.	Powers	Officers to whom delegated
1	2	3
(1)	Power under sub-section (1) of Section 7.	Commercial Tax Officer having jurisdiction over the area including Commercial Tax Officer incharge of such offices.

(No. FD 32 CEX 67.)

By Order and in the name of the Governor of Mysore,

Syed Gulam Khaja,

1187 *Under Secretary.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Sri. G. K. Lakshminarayana Setty Auto-Rickshaw owner and Mandi Merchant, 150, Ebrahim Street, Bangalore-1.

Award of the Labour Court, Bangalore—published.

Read the following papers :—

(1) Letter No. 663/67-68, dated 14th September 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 14th day of September 1967.

Present

Sri P. T. Kadkol, B.Sc., LL.B. — Presiding Officer.

Reference No. 21 of 1967.

Workmen represented by the Secretary, Bangalore District Motor Workers' Union, 70, Arcot Sreenivasachar Street, Bangalore-2 ... *I Party.*

Vs.

The Management of Sri G. K. Lakshminarayana Setty, Auto-Rickshaw Owner and Mandi Merchant, 150, Ebrahim Street, Bangalore-1 ... *II Party.*

Reference:

Government Order No. LMA 63 LLD 67, dated 15th February 1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the Workmen and the Management of Sri G. K. Lakshminarayana Setty, Auto-Rickshaw Owner and Mandi-Merchant, Bangalore, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 63 LLD

67, dated 15th February 1967, setting out the following points of dispute for adjudication:—

> " Is the Management of Sri G. K. Lakshminarayana Setty Auto-Rickshaw Owner and Mandy Merchants, 150, Ebrahim Sahib Street, Bangalore-1, justified in terminating the services of Sriyuths: Dastagir Khan, Wajid Khan and Anwar?
>
> If not, what are the reliefs the workers are entitled to ?"

2. The cause of the aggrieved workmen has been sponsored by the Bangalore District Motor Workers' Union, Bangalore which is a registered trade union. This Union as representing the workmen is the first party and the management of Sri. G. K. Lakshminarayana Setty, is the second party in this proceeding.

3. In response to the notice issued by the Court the first party has put in its statement of claims dated 5th April 1967 and the second party has put in its statement of objections dated 30th June 1967. On the basis of these pleadings various issues were framed on 30th June 1967 (*Vide* Order Sheet) and set down for hearing.

4. On 8th September 1967 when the case came up for hearing both parties appeared and submitted a joint memorandum of settlement, marked Ex. A and prayed for an award being passed in terms thereof. It is seen therefrom that the second party has, agreed to pay and the first party has agreed to receive certain sums of money in full satisfaction of the claims of the three workmen concerned in this dispute. I am of opinion that the terms are fair and reasonable. I accept it. Nothing further needs be done in the matter.

5. In the result I make an award as under :—

AWARD.

Reference is accepted. An Award is made between the parties in terms of the memorandum of settlement, Ex. A, which should be annexed to this Award and be deemed as forming part thereof. I order no costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HON'BLE LABOUR COURT, BANGALORE

Reference No. 21 of 1967

I Party. *Vs* *II Party*

Workmen represented by Bangalore District Motor Workers' Union.

Sri. G. K. Lakshminarayana Setty.

Memorandum of Settlement.

Both parties beg to file this joint Memorandum of settlement and pray that an Award may be passed in terms of the following :

The Management agrees to pay the following amount to the workmen mentioned in the reference !—

1.	Dastagir Khan	...	Rs. 300-00
2.	Wajid Khan	...	Rs. 140-00
3.	Anwar	...	Rs. 70-00
	Total	...	Rs. 510-00

The workmen agree not to press for their reinstatement, and they receive the amount in full satisfaction of their claims.

Bangalore.

Dated 8-9-1967.

I Party.

Sd. M. S. Rama Rao,

II Party.

Sd. G. K. Lakshminarayana Setty

Sd. V. J. Venkatesh

Filed,
and Marked Ex. A.
Intd. P. T. K.
8-9-67.

"Copy"

P. T. KADKOL
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 23rd September 1967

S . 1918.—WHEREAS by State Government Order No LMA 63 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of Sri. G. K. Lakshminarayana Setty, Auot-Rickshaw owner and Mandi Merchant, 150, Ebrahim Street, Bangalore-1 was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 63 LLD 67.

By Order and in the name of the Governor of Mysore.

1097 G. G. PUROHIT, *Under Secy*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT

(LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Coovercolly Estate, Kalagally Division, Somawarpet Post, Coorg District.

Award of the Industrial Tribunal Bangalore—Published.

Read the following papers :—

(1) Letter No. 641/67-68, dated 4th September 1967, from Shri P. T. Kadkol, Presiding Officer, Industrial Tribunal Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 4th day of September 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B., ... Presiding Officer.

Reference No. 34 of 1967.

Workmen represented by the Secretary, Coorg District Estate Workers' Union, Mercara ... *I Party*

Vs.

The Management of Coovercolly Estate, Kelagally Division. Somawarpet P. O., Coorg District ... *II Party.*

Reference.

Government Order No. LMA 105 LLD 67, dated 17th March 1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Coovercolly Estate, Kelagally Division, Somawarpet Post, Coorg District, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947,

by their Order No. LMA 105 LLD 67, dated 17th March 1967, setting out the following points of dispute for adjudication :—

"Whether the Management of Coovercolly Estate, Kelagally Division, Somawarpet (Post) Coorg District are justified in dismissing the services of Shri Appaji and Smt. Madhavi the workers of the said estate with effect from 19th February 1966 ? If not, are they entitled to reinstatement with back wages and continuity of service from that date, or other relief if any ?"

2. The cause of the aggrieved workmen has been sponsored by the Coorg District Estate Workers' Union, Mercara which is a Registered Trade Union. This Union as representing the Workmen is the first party and the Management of M/s. Coovercolly Estate is the second party in this proceeding.

3. In response to the notice issued by the court, the first party has put in its statement of claims dated 25th March 1967 and the second party has put in its statement of objections dated 16th May 1967.

4. When the case was called on for hearing at Mercara Camp on 30th August 1967 the representatives of both parties appeared and filed a joint memorandum of settlement, which was marked Ex. A. and prayed for an Award in terms thereof. From the terms of the settlement it is seen that the management has agreed to give the aggrieved workmen service gratuity and other benefits and the first party has agreed not to press for their reinstatement. I am of opinion that the terms of settlement are fair and reasonable and I accept them.

5. In the result I pass an award as under : —

AWARD.

Reference is accepted. An Award is passed between the parties in terms of the memorandum of settlement, Ex. A, which should be annexed to this Award and be deemed as forming part thereof. I order no costs.

P. T. Kadkol,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HON'BLE LABOUR COURT, BANGALORE.

Camp : Mercara.

Reference No. 34 of 1967.

Workmen represented by the Secretary, Coorg District Estate Workers Union, Mercara *I Party.*

Vs.

The Management of Coovercolly Estate, Kelagally Division, Somawarpet P.O. Coorg Dist. *II Party.*

Joint Memorandum of Settlement.

Both the parties to the above dispute have arrived at a settlement on the following terms.

Terms of Settlement.

1. The II Party has agreed to treat the orders of dismissal of Sri Appan and Smt. Madhavi as dischage with effect from 19th February 1966, and pay both of them in addition to meternity allowance of Rs. 63 only due to Smt. Madhavi and arrears of bonus leave wages and other annual payments, if any service Gratuity at the rate of 15 days wages for each year of service or any part thereof in excess of six months.

2. The I Party agrees to the above terms and does not press for their reinstatement.

The parties pray that the Hon'ble Labour Court be pleased to pass an award on the above terms.

Dated the 30th day of August, 1967.

Agreed to abide.
Sd/- P. S. Ponnappa
Asst. Manager.
II Party Estate.

Agreed to abide.
Sd/- B. N. Kuttappa,
Secretary,
I Party Union.

Sd/- K. Ramadas,
Assistant Secretary,
Mysore State Planters Association,
Chickmagalur.

Filed, Recorded and Marked Ex. A.
Intd. P. T. K. 30/8.

"Copy"
P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

2C (ii)—8*

ORDER

Bangalore, dated 14th September 1967

S. O. 1919.—WHEREAS by State Government Order No. LMA 105 LLD 67, dated 17th March 1967, the Industrial Dispute between the Workmen and the Management of M/s. Coovercolly Estate, Kalagally Division, Somwarpet Post, Coorg District, was referred to the Industrial Tribunal Bangalore for adjudication :

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

(No. LMA 105 LLD 67.)

By Order and in the name of the Governor of Mysore,

1104 G. G. PUROHIT, *Under Secretary*.

ORDER.

Bangalore, dated 28th September 1967.

S.O. 1920.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Sri M. B. Mangalorkar, Race Horse Trainer, No. 4, Convent Road, Civil Station, Bangalore-25, on the points noted below ;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute.

"Is Sri K. Mohan, an employee of Sri M. B. Mangalorkar, Race Horse Trainer, No. 4, Convent Road, Civil Station, Bangalore-25 ?

If so, is Sri M. B. Mangalorkar, Race Horse Trainer, Bangalore-25, justified in terminating the services of Sri K. Mohan ?

If not, what other reliefs, if any, Sri K. Mohan, is entitled to ?"

[No. FCL 548 LLD 67].

By Order and in the name of the Governor of Mysore,

1199 G. G. PUROHIT, *Under Secy.*

NOTIFICATION.

Bangalore, dated 29 h Septem`er 1967.

S. O. 1921.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds Act, 1:52 (Central Act 19 of 1:52) read with Notification No. PF-1/32/(5) (57-II) dated the 20th June 1958; issued by the Central Government, the Government of Mysore hereby exempts M/s. Best and Company Private Limited, Bangaiore (hereafter called the Establishment) from the provisions of the Employees' Provident Funds Schemes, 1952, subject to the following conditions, namely :—

1. The employer of the establishment (hereinafter referred to as the 'Employer') shall within three months of the date of publication of this Notification, amend the constitution of the Provident Fund maintained in respect of the employees of the establishment as indicated in conditions 2 to 21 of this Notification.

2. The Provident Fund shall vest in a Board of Trustees and there shall be a valid instrument of Trust which adequately safeguards the interests of the employees.

3. The constitution of the Board of Trustees of the Provident Fund of the establishment and the election of employees' representatives on the Board shall be in accordance with the rules contained in the schedule to this notification.

4. The Provident Fund Rules of the establishment shall not be amended except with the previous approval of the Regional Commissioner, and where any amendment affects the interests of the employees' the Regional Commissioner, shall before giving his approval, give a reasonable opportunity to the representatives of the employees to explain their point of view.

5 (1) The employer shall before paying the member his wages in respect of any period or part of a period for which contributions are payable, deduct the employees'

contributions from his wages which together with his own contribution shall, within fifteen days of the close of every month, be paid to the Board.

(2) The Board shall make all investment of accumulations in securities of the Central Government subject to such conditions as the Central Government may, from time to time, give within two weeks of the payment of the Provident Fund contributions by the employers. The reinvestment or conversion of securities on maturity shall also be in the securities of Central Government. The employer of the establishment shall formulate a procedure for prompt investment of Provident Fund moneys and shall get it approved from the Regional Commissioner.

6. All expenses involved in the administration of the Provident Fund schemes including the maintenance of accounts, submission of accounts and returns, transfer of accumulations and payment of inspection charges shall be borne by the employer of the establishment.

7. The employer shall display on the notice board of his establishment in English and in Kannada, a copy of the approved rules and the translation of salient points of the rules in the language of the majority of the workers.

8. The employer shall within three months of the date of publication of this notification, transfer to the Board of Trustees the accumulations standing to the credit of the employees who but for the exemption would have been members of the Statutory Fund.

9. When the Fund is wound up or the exemption of the establishment is cancelled, accumulations standing to the credit of employees who but for the exemption, would have been members of the statutory Fund shall be transferred to that Fund as soon as possible and in any case, not later than thirty days in the case of securities and not later than ten days in the case of cash in hand or in a bank, together with a statement or statements as may be required by the Regional Commissioner.

10. The employer shall accept the past provident Fund accumulations of an employee who is already a member of the Employees' Provident Fund or an exempted fund and who obtains employment in his establishment. Such an employee shall immediately be admitted as a member of the Establishment's Provident Fund his accumulations which shall be transferred within three months, of his joining the establishment shall be credited to his account.

11. The employer shall provide for nomination in his Provident Fund Rules in accordance with the provisions contained in paragraph 61 of the Employees' Provident Funds Scheme, 1952.

12. The amount of contributions shall be calculated to the nearest quarter of a rupee, that is 12.5 paise or more shall be counted as the next higher quarter of a rupee and fractions of a rupee less than 12.5 paise shall be ignored. The amount of inspection charges and damages shall be calculated to the nearest 5 paise.

13. On all repayable loans granted by the Establishment, interest shall be charged at the rate of $4\frac{1}{2}$ per cent or 1 per cent above the rate allowed on the balance to the credit of the members, whichever is higher.

14. The employer shall pay to the Regional Commissioner inspection charges payable, failing which damages shall be paid at rates fixed by the State Government from time to time.

15. (i) The employer whenever there is a raise in the rate of statutory provident fund contribution shall revise the Provident Fund Scheme of the Establishment suitably so that the benefits under the said schemes are at no time less favourable than the benefits available under the Employees' Provident Fund Scheme.

(ii) The employer shall maintain accounts of provident fund in such manner and submit such returns to the Regional Commissioner as may be prescribed by the Central Commissioner from time to time.

(iii) The employer shall furnish to the Regional Commissioner such accounts of provident fund of the establishment as may be prescribed by the Central Commissioner from time to time He shall also furnish annual statement of accounts or a pass book in such form as may be prescribed by the Central Commissioner from time to time to the subscriber who but for the exemption would have been a member of the Provident Fund of the establishment.

16. The employer shall submit an audited copy of the balance sheet of the provident fund every year to the Regional Commissioner as soon as the balance sheet is prepared.

17. The employer shall transfer the monthly contributions to the Board of Trustees within fifteen days of the close of the month, failing which he shall pay interest to the above Board at the following rates :—

Period of default :

1st Default	2% of arrears	5% of arrears	10% of arrears	15% of arrears	20% of arrears	25% of arrears
2nd default	5% of arrears	10% of arrears	15% of arrears	20% of arrears	25 % of arrears	
3rd default	10% of arrears	15% of arrears	20% of arrears	25% of arrears		
4th default	15% of arrears	20% of arrears	25% of arrears			
5th default	20% of arrears	25% of arrears				
6th default	25% of arrears					

18. Notwithstanding anything in the provident fund rules of the establishment, the amount payable to any member upon his ceasing to be an employee of the establishment by way of employers' and employees' constributions *plus* interest thereon taken together with the amount,

f any, payable under the Gratuity Pension Rules, be less than the amount that would be payable as employers' and employees' contributions *plus* interest thereon, if he were a member of the Provident Fund under the Employees' rovident Fund scheme, the employer shall pay the difference to the member as compensation or/special contribution.

19. All matters not herein provided for shall be regulated by the approved Provident Fund Rules of the Establishment.

20. The exemption granted by this notification shall be liable to be withdrawn by the State Government for breach of any of the aforesaid conditions or for any other sufficient cause which may be considered appropriate.

21. (1) The employer shall in relation to the establishment carry out such instructions as the State Government may from time to time, issue for the purpose of enforcing all or any of the aforesaid conditions.

(2) The State Government reserves the right to impose such further conditions as may be deemed necessary in the interests of the employees of the establishment.

SCHEDULE.

Rules regarding the election of Employees' Representatives on the Board of Trustees of Provident Fund of an establishment exempted under Section 17 (1) (b) of the Employees' Provident Funds Act, 1952.

(*See* Conditioon 3)

(i) **Constitution** :—The employer shall constitute a Board of Trustees (hereinafter referred to as the Board) in the manner hereinafter provided.

(ii) **Number of members** :—(a) The Board of Trustees shall consist of an equal number of representatives of the employers and the employees. The number of trustees on

the Board shall be so fixed as to afford as far as possible, representation to workers in various branches/departments of the establishment:

Provided that the number of trustees on the Board shall neither be less than six nor more than twelve.

(b) In case there is a common Provident Fund for a group of two or more establishments under the employer, one Board may be constituted for all such establishments and in such a case the employees of each such establishment shall be entitled to elect a trustee on the Board.

(iii) **Employees' Representatives** :—The employer shall nominate his representatives from amongst the officers employed in managerial or administrative capacity in the establishment.

(iv) **Election of employees' representatives** —The representatives of the employees shall be elected by the members of the Fund in an election to be held for the purpose on any working day:

Provided that wherever there is a recognised union under the Code of Discipline or under any law, such union shall nominate the employees' representatives;

Provided further that wherever there is no recognised Union, the representative union, if any, existing, under any law regulating the recognition of workers' Union, shall nominate the employees' representatives;

Provided also that wherever there is neither a recognised Union nor a representative Union of workers, any Union existing in the establishment and qualified for recognition by the employer, shall nominate the employees' representatives and where there is more than one such Union, the procedure laid down in the Industrial Disputes (Mysore) Rules, for the election of the workers; representatives on the workers Committee shall be followed with such modification, if any, as may be considered necessary by the Regional Provident Fund Commissioner.

(v) **Qualifications of Candidates for election** :—(a) Any member of the Fund who is not less than twenty one years of age may, if nominated as hereinafter provided, be a candidate for election as an employees' representative.

(b) An outgoing trustee shall be eligble for re-election or re-nomination, as the case may be.

(vi) **Procedure for election** : The employer shall fix a date for receiving nominations from candidates for election as employees' representatives. He shall also fix a date for the withdrawal of nomination and the date of election which shall not be earlier than three days or later than ten days after the last date for withdrawal of nominations. The dates so fixed shall be notified to the members at least seven days in advance. The notice shall be affixed on the notice Board of the Establishment. The notice shall also specify the number of seats to be filled by the employees representatives. A copy of such notice shall also be sent to the recognised trade Union or the Unions concerned in the establishment and to the Regional Provident Fund Commissioner.

(vii) **Nomination of candidate for election** :—Every nomination shall be made in the form annexed to these rules. Each nomination papers shall be signed by the candidate to whom it relates and attested by atleast two members of the Fund other than the proposer and shall be delivered to the employer on or before the closing date fixed for receiving the nominations.

(viii) **Scrutiny of Nomination Papers** :—The employer shall scrutinize the nomination papers received under rule (vii) on the date following the last date fixed for withdrawing the nomination papers. The candidates or his nominee, the proposer or the attesting members may be present, if they so desire. Invalid nomination papers shall be rejected.

(ix) **Voting** :—(a) If the number of candidates who have been validly nominated is equal to the number of seats, the candidates shall forthwith be declared duly elected.

(b) If the number of candidates is more than the number of seats, voting shall take place on the date fixed for election.

(c) The election shall be conducted by the employer in the presence of an officer, deputed by the Regional Provident Fund Commissioner, if there is a request from the employees or employer.

(d) Every member of the Fund shall have as many votes as there are seats to be filled on the Board:

Provided that each such member shall be entitled to cast only one vote in favour of any candidate.

(e) The voting shall be by Secret ballot.

(x) **Disqualifications of a trustee:**—A person shall be disqulified for being a trustee of the Board:—

(i) if he is declared to be of unsound mind by a competent Court; or

(ii) if he is an undischarged insolvent; or

(iii) if he has been convicted of an offence involving moral turpitude

(xi) **Chairman of the Board:**—The employer shall nominate one of his representatives on the Board to be the Chairman thereof.

(xii) **Method of deciding questions:**—All questions before the Board shall be decided by a majority of votes. In the event of an equality of votes, the Chairman shall exercise a casting vote.

(xiii) **Filling of casual vacancies:**—In the event of a trustee, elected or nominated, ceasing to be a trustee during the tenure of the Board, his successor shall be elected or nominated, as the case may be in the manner herein before provided for election or nomination, and shall hold office for the remainder of the term of the trustee who has ceased to be a trustee.

(xiv) **Reference to Regional Provident Fund Commissioner:**—In case of any dispute or doubt, the matter be referred to the Regional Provident Fund Commissioner in whose region the Head Office of the Establishment is situated. His decision in the matter shall be final and binding.

ANNEXURE.

FORM OF NOMINATION PAPER.

(See Rule vii)

Name of the Branch/Department

I hereby nominate Shri

(Name of the Employees' candidate with his Provident Fund Account No.)

as a candidate for election to the Board of Trustees.

DATED:

(Signature of the proposer with his Provident Fund Account No.)

ADDRESS:

I hereby declare that I agree to this nomination.

Signature of Candidate.

Dated:

Address.

Attested by (i) (ii)

TO BE SIGNED BY TWO MEMBERS OF THE PROVIDENT FUND

CERTIFICATE OF DELIVERY:—

This nomination paper was delivered to me at my office on.....
by the candidate/proposer.....

EMPLOYER.

[No. FCL 235 LPF 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secretary.*

1196

ORDER.

Bangalore, dated the 29th September 1967.

S. O. 1922.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of M/s. Stumpp Schule and Somappa Private Limited, Hosur Road, Bangalore on the points noted below:

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Banglore.

Points of Dispute

"Whether the termination of the services of Sri Srinivasa Pra-anna, T. No. 159 and Sri M. K. Kupparaj, T. No. 59 by the management of M/s. Stumpp, Schule & Somappa Private Limited is justified?

If not are the above workmen entitled to reinstatement with back wages from the date of termination to the date of reinstatement or any other relief?

(No. FOL 450 LLD 67.)

By Order and in the name of the Governor of Mysore,

1197 G. G. PUROHIT, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 23th September 1967.

S. O. 1923.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Municipal First Grade College, Chintamani to the Mysore University for teaching the following courses :—

(i) P.U.C. (Arts) History, Economics, Logic ;

(ii) P.U.C. (Science)
Physics, Chemistry, Mathematics (2 Sections of 72 students each)
Physics, Chemistry, Biology (One Section of 72 students) ;

(iii) B.Sc. Degree (I and II Years)

Physics, Mathematics (Majors) Chemistry (Minor)	Each 24 students ;
Botany, Zoology (Majors) Chemistry (Minor)	

and extension of affiliation for teaching Third Year B.Sc. Degree Course with the same combinations and fresh affiliation to run the B.A. Degree Course (First Year) with History, Economics (Majors) Sociology (Minor) ;

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 83 UAC 67.]

By Order and in the name of the Governor of Mysore,

1201 S. N. Sreenath, *Under Secy.*

FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR AND MUNCIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Bharatha Matha Fruit Stall, No. 7, K. R. Market, Bangalore–2

Award of the Industrrial Tribunal, Bangalore—Published.

Read the following papers :—

(1) Letter No. 634/67-68, dated 2nd September 1967, from Shri P. T. Kadkol, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 2nd day of September 1967.

Present

Shri P. T. Kodkol, B. Sc., LL.B., Presiding Officer.

Reference, No. 25 of 1967.

Sri V. Abdul Jabbar, H. No. 106,A 5th Cross, Vanikanagar, Mysore Road, Bangalore. 26. ... *I Party.*

Vs

The Management of Bharatha Matha Fruit Stall, No. 7, K. R. Market, Bangalore–2. ... *II Party.*

Reference.

Government Order No. LMA 58 LLD 67, dated 23rd February 1967.

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Bharatha Matha Fruit Stall, No. 7, K. R. Market, Bangalore have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes Act, 1947 by their Order No. LMA 58

LLD 67 Dated 23rd February 1967, setting out the foliowing points of dispute for adjudication .—

"Is the Management of Bharatha Matha Fruit stall No. 7, K. R Market, Bangalore-2 justified in refusing employment of Sri. V. Abdul Jabbar, with effect from 17th June 1966?

If not, is the worker entitled to reinstatement with back services and wages or any other compensation."

2. This reference has been made by the Government under Section 2-A of the Industrial Dispute Act, 1947, read with Section 10(1) (c) thereof. The aggrieved workman V. Abdul Jabbar has appeared in person and he is the first party. The Management of Bharatha Matha Fruit Stall is the second party.

3. In response to the notice issued by this Court, the first party Abdul Jabbar has filed his claim statement dated 17th March 1967. Therein he has averred that he joined service under the Second Party on 27th July 1964 and his services were terminated on 17th June 1966 without any cause or reason. He has not however asked for any reinstatement. He has only prayed that the second party should be directed to pay him over time wages, service compensation and notice pay.

4. The second party has submitted its statement of objections dated 20th June 1967. It has contended therein that Abdul Jabbar was never a workman under it; hence this dispute is not an industrial dispute; all the averments made by Abdul Jabbar in his statement of claims are false; and hence this reference be rejected.

5. The case was fixed for documents and issues on 6th July 1967. It was adjourned to 16th August 1967. Meanwhile Abdul Jabbar sent an application dated 20th June 1967 to this court by Registered Post. It was received to Court on 5th July 1967. In this application, Abdul Jabber has stated that he had settled the dispute with the second party and hence does not press this reference.

6. Notice of this application was issued to both parties calling upon them to give their say with regards to the alleged settlement. The notice sent to Abdul Jabbar was returned to this court by the postal authorities with an endorsement that the

addressee had left the place and his whereabouts were not known. The second party has appeared through its advocate. A note to this effect was made in the Order Sheet of 14th August 1967 and the case was posted to 23rd August 1967 for evidence with regard to the alleged settlement. On 23rd August 1967 also Abdul Jabbar was absent. For the second party appeared its proprietor G. Mani. He has examined himself as M. W. 1. He has sworn that the dispute under reference has been settled out of court by his paying Abdul Jabbar a sum of Rs. 50 in full and final settlement of all his claims. He has identified the two signatures of Abdul Jabbar on the application dated 20th June 1967. That application is marked Ex. A. and the two signatures of Abdul Jabbar have been marked as Ex. A. (1) and Ex. M. (2). Since the aggrieved workman Abdul Jabbar has stated that the matter has been settled out of court and Mr. Mani the proprietor of the second also has confirmed it, I hold that the dispute has been settled out of court as stated in the applicant Ex. A. sent by Abdul Jabbar.

7. In the result therefore I make an Award as under:—

AWARD.

Reference is accepted. An Award is made between the parties as per the application Ex. A. sent byAbdul Jabbar which should be annexed to this Award and be deemed as forming part thereof. I order no costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T. KADKOL
Presiding Officer,
Labour Court, Bangalore.
2-9-1967

THE COURT OF THE PRESIDING OFFICER, LABOUR COURT AT BANGALORE.

Reference No. 25 of 1967.

Sri V. Abdul Jabbar,
H. No. 106 A, Fifth Cross
Valmikinagar, Mysore Road,
Bangalore-26. ... First Party.

Vs

The Management of Bharat Matha
Fruit Stall, No. 7, K. R. Market,
Bangalore-2. ... Second Party.

I, the First Party in the abovesaid case begs to submit as follows :—

That 1 have approached the Second party and got solved my grievances. Thus I have settled the dispute with the second party. Hence I do not press for the petition.

Therefore I request your good-self to be kind enough to dismiss the application without costs in the interst of justice and equity.

(Sd.) K. Abdul Jabbar Marked
A-1. Intd.P. T. K.
23/8.

Place. Bangalore.
Dated. 20-6-1967.

First Party.

(Sd.) V. Abdul Jabbar, Marked A-2
Intd. P. T. K.
23/8

Marked A.
Intd. P. T. K.
23/8.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated the 14th September 1967.

S. O. 1924.—WHEREAS by State Government Order No. LMA 58 LLD 67, dated 23rd February 1966, the Industrial Dispute between the Workman and the Management of Bharatha Matha Fruit Stall, No. 7, K. R. Market, Bangalore-2 was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government, its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 58 LLD 67.]

By Order and in the name of the Governor of Mysore,

1103 G. G. PUROHIT, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to Sri B R. Dayanath-Singh for Clay ore over an area of 99-39 hectares in Jakkasaodra and other Villages, Taluk Malur, District Kolar for a period of 20 years.**

(i) Government Order No. CI 335 MML 62, dated 14th August 1962.
(ii) Government letter No. CI 199 EMO 66, dated 10/12th August 1966.
(iii Letter No. 34 DTN 66 dated 26th August 1967 from the Director of Mines and Geology, Bangalore.

PREAMBLE.—

Government in their Notification read at (i) above, sanctioned the grant of Mining Leasee over the abovementioned area to Sri B. R. Dayanath Singh and the said lease bearing No. 522 was executed on 11th September 1962.

(2) In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 5,373 towards mining revenue due to Government upto 31st December 1965, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the lessee on this account.

The Director, of Mines and Geology, Bangalore, in his letter read at (iii) above, reports that apart from paying Rs. 500 Sri B. R. Dayanath-Singh has not taken any steps to clear the arrears of mining revenue due to Government inspite of having allowed 6 months time over and above notice period in Government letter No. CI 199 EMO 66, dated 4th January 1967. It is also reported that the lessee has not commenced mining operations. Hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated 21st September 1967.

S. O. 1925.—Government hereby order determination of the abovementioned Mining Lease granted to Shri B. R. Dayanath Singh with effect from 11th October 1966 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

[No. CI 197 EMO 67.]

By Order and in the name of the Governor of Mysore,

1149 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 8th August 1967.

S. O. 1926.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Mysore Industrial Areas Development Act, 1966 (Mysore Act 18 of 1966), the Government of Mysore hereby specifies the fifteenth day of August 1967 as the date from which Chapter VII of the said Act shall come into force, in the area declared as industrial area in Notification No. CI 98 GMI 67 (i) /dated 8th August 1967.

[No. CI 98 GMI 67-II.]

By Order and in the name of the Governor of Mysore,

M. SUBRAMANYAM,
Secretary to Government,
Commerce and Industries Department.

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated 28th September 1967.

S. O. 1927.—Whereas the Government of Mysore is satisfied that there is a public emergency.

Now, therefore, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of all previous notifications, issued in this behalf, the Government of Mysore hereby exempts Motor Industries Company Limited Bangalore, for the period of three months from 1st October 1967 from the provisions of Sections 51, 52, 53, 54 and 56 and also from Section 79 of the said Act to the extent that leave may be refused where necessary in the exigencies of Service, except in case of illness, subject to the following conditions :

(i) No worker shall be required or allowed to work overtime in a factory for more than 48 hours in a quarter ;

(ii) No worker who is sick or unwilling shall be required to work over-time in the factory ;

(iii) The workers deprived of the weekly holidays provided in Section 52 of the Factories Act, shall be allowed compensatory holiday in lieu of such weekly holidays, lost and

(iv) A worker who has applied for leave with wages and has not been given such leave, shall be entitled to carry forward the unavailed leave without any limit.

[No. FCL 109 LFB 67.]

By Order and in the name of the Governor of Mysore,

1202 G. G. Purohit, *Under Secy.*

ORDER.

Bangalore, dated 29th September 1967.

S. O. 1928.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of Gokak Mills Ltd., Gokak Falls, District Belgaum on the points noted below;

NOW THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal at Bangalore.

Points of Dispute

"Are the management of the Gokak Mills Limited, Gokak Falls justified in declaring bonus for the year 1966 at 4% of the wages earned during that year?

If not, at what other rate of bonus in respect of the said accounting year, are the workmen entitled to?"

[No. FCL 585 LLD 67.]

By Order and in the name of the Governor of Mysore,

1204 G. G. PUROHIT, *Under Secretary.*

ORDER

Bangalore, dated 29th September 1967.

S. O. 1929.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of Karnatak Bangle Works (Branch), Rajaginagar, Bangalore-10 on the points noted below;

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Additional Industrial Tribunal at Bangalore.

Points of Dispute

"Are the workers of Karnatak Bangle Works (Branch), Rajajinagar, Bangalore-10, justified in demanding the following ?

(1) Every unskilled worker shall be paid minimum wage of Rs. 85 per month.

(2) An immediate increase of 30 % of the wages or Rs 30 per month which ever is higher shall be paid to every worker.

(3) Dearness Allowance of 25 paise per point of increase over the Consumer Price Index Number for Bangalore published by Government for the month of April, 1966.

(4) Paid Casual Leave for 10 days in a year.

(5) Supply of ½ a Litre Milk a day to all the employees.

(6) Attendance Bonus of 2 days wages in every month.

(7) Every worker shall be made permanent after 3 months of services.

[No. FCL 553 LLD 66.]

By Order and in the name of the Governor of Mysore,

1200 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

[FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)]

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Swami Vivekananda Industries, No. 14, Haines Road, Bangalore-1.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 670/67-68 dated 16th September 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 16th day of September 1967.

Present :

Sri P. T. Kadkol, B.SC., LL.B. ... *Presiding Officer.*

Reference No. 30 of 1967.

Sri. C. K. Gopalan, Welder, C/o Muniswamappa Building, Nagannapalyam, Maruthisevanagar P. O., Bangalore-5.

... *First Party.*

Vs.

The Management of Swami Vivekananda Industries, No. 14, Haines Road, Bangalore-1.

... *Second Party.*

Reference : Government Order No. LMA 660 LLD 66, dated 16th January 1967.

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Swami Vivekenanda Industries, Bangalore have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 660 LLD 66, dated

16th January 1967 setting out the following points of dispute for adjudication:—

"Whether the Management of Swami Vivekananda Industries, No. 14, Haines Road, Bangalore-1 is justified in terminating the services of Sri. C. K. Gopalan, Welder.

If not, what is the relief to which the workman is entitled?"

2. The aggrieved workman in this case is C. K. Gopalan. His cause has not been sponsored by any trade union or the other workmen. The reference has been made by Government presumably under Section 2-A of the Industrial Disputes Act, 1947. The workers are arrayed as the first party and the management of M/s. Swami Vivekanada Industries is arrayed as the second party in this proceeding.

3. In response to the notice issued by this Court the aggrieved workman C. K. Gopalan has submitted his statement of claims dated 18th March 1967 and the management of the second party has submitted its statement of objections dated 29th March 1967. On these pleadings some issues were framed and set down for hearing (*Vide* Order sheet dated 22nd April 1967.)

4. According to the aggrieved workman, he was employed by the management of the second party and worked there from 13th February 1966 to 26th April 1966 and on the latter date his services were illegally terminated by the second party. According to the management of the second party, however, C. K. Gopalan was never in its employment.

5. When the matter came up before me on 17th July 1967 Mr. K. Gopalan representing the second party proposed that if the aggrieved workman Sri. C. K. Gopalan were to take a special oath touching the photo of Lord Venkateswara to the effect that the amount claimed by him represents wages for the work done by him, then he would pay him a sum of Rs. 100 in full and final settlement of the dispute. C. K. Gopalan accepted the offer. Accordingly, C. K. Gopalan took a special oath as proposed. Soon thereafter the parties submitted a joint memorandum of settlement marked Ex. A and the magnament of the second party paid a sum of Rs. 100 to the aggrieved workman Sri. C. K. Gopalan. The parties have asked me to make an award in terms of the

memorandum marked Ex. A. Considering the pleadings and the opening statements, I am of the view that the settlement as embodied in Ex.A. is quite fair and reasonable. Hence I accept it and proceed to make an Award as under:—

AWARD.

Reference is accepted. Award is made between the parties as per terms contained in the joint memorandum of settlement marked Ex. A which should be annexed to this Award and be deemed as forming part of it.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT AT BANGALORE.

Reference No. 30 of 1967.

C. K. Gopalan ... *I Party.*

Vs.

Management of Swamy Vivekananda Industries... *II Party.*

Both the parties abovenamed beg to report the following settlement and pray that this Hon'ble Court may be pleased to pass an Award in terms of the settlement.

Settlement.

1. The 2nd Party agrees to pay a sum of Rupees One Hundred only and further the 2nd party paid the amount of Rs. 100 in the open court to the 1st Party workman Sri C. K. Gopalan.

2. The 1st Party workman Sri. C. K. Gopalan has received this amount of Rs. 100 in full and final settlement of all his claims including his claim for earned wages, reinstatement, etc. The 1st Party agrees that this settlement is in full and final satisfaction of all his claims against the 2nd Party and this settlement terminates the employer and employee relationship between the 1st and the 2nd party.

3. Each party to bear their own costs.

17-7-1967
Bangalore.
(Sd.) Allampalli Venkataram
17-7-67

1st Party
(Sd.) C. K. Gopalan.
2nd Party
(Sd.) K. Gopalan

For the 1st Party Workman.
(President, Bangalore
General Labour Union)
Filed, Recorded and marked Ex. A.
Intd. P. T. K.
17/7/67.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 23rd September 1967.

S. O. 1930.—WHEREAS by State Government Order No. LMA 660 LLD 66, dated 16th January 1967 the Industrial Dispute between the Workmen and the Management of Swami Vivekananda Industries, No. 14, Haines Road, Bangalore-1 was referred to the Labour Court, Bangalore for adjudication ;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 660 LLD 66.]

By Order and in the name of the Governor of Mysore,

1170 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT, (LABOUR)

Labour Dispute :—Industrial Dispute between the workmen and the management of India Tin Industries, (P) Ltd., Old Madras Road, Bangalore-16.

Award of the Additional Tribunal, Bangalore—Published.

Read the following papers :

(i) Letter No. AI. T. No. 512-13/67-68, dated 13th September 1967 from Sri V. C. Ramachandran Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 12th September 1967.

PRESENT

Sri V. C. Ramachandran, B.A., B.SC., A. R.C.S., Bar-at-Law,
Presiding Officer.

A. I. D. No. 4 of 1966.
I. D. No. 31 of 1964.

The Workmen of India Tin Industries, Private Ltd., Old Madras Road, Bangalore-16. ... *I Party.*

The Management of India Tin Industries, Private Ltd., Old Madras Road, Bangalore-16. ... *II Party.*

APPEARANCES.

For the 1st Party.—Sri M. C. Narasimhan, Advocate, Bangalore.

For the 2nd Party.—Sri S. G. Sunderswamy, Advocate, Bangalore.

REFERENCE

(Goverenment Order No. PLM 375 LLD 63, dated 1st Oct. 1963.)

This is a Reference referred by the Government of Mysore in their Order No. PLM 375 LLD 63, dated 1st Oct. 1963 to the then Additional Industrial Tribunal presided over by Sri K. Gubbaiah for adjudication under Section 10 (1) (d) of the Industrial

Disputes Act, 1947. After the abolition of that Tribunal the said Dispute was transferred to the Industrial Tribunal by the Government of Mysore. It was taken on the file of the Industrial Tribunal and numbered as I.D. No. 31 of 1964. Again the said dispute was transferred to the Additional Industrial Tribunal by the Government of Mysore and it was renumbered as A.I.D. No. 4 of 1966 and taken on the file of this Tribunal for adjudication. The points referred for adjudication are (1) whether the employees should be paid bonus at the rate of 35% of their average wages earned during the years 1961-62 and 1962-63 (2) for evolving a Gratuity Scheme of one month's pay including D. A. for every year of service they put in.

2. The claims of the workers for gratuity as well as for bonus for the years 1961-62 and 1962-63 were resisted by the Management on various grounds, firstly that there was no profit made during the years in question and therefore, there was no available surplus during the years which would entitle them for bonus and secondly that the Company is not in a position financially to start the Gratuity Scheme. The Profit and Loss Account during the last few years according to the Management indicate that the industry is neither in a position to pay the bonus claimed by the workmen nor introduce any Gratuity Scheme as envisaged in the Claim Statement.

3. A number of Issues have been framed with regard to liability of the Management to pay the Bonus for the years 1961-62 and 1962-63 and also with regard to the introduction of the Gratuity Scheme. It is, however, unnecessary to go into these Issues because fortunately after the evidence had been closed and before arguments were heard, the Parties had come to a settlement of the disputes. They have filed a Memorandum of Settlement under which it is agreed between them that the introduction of Gratuity Scheme will await the recommendations of the Wage Board constituted by the Central Government for Engineering Industries. The workmen have received bonus for the years ending 30th June 1965 and 30th June 1966 and have given up their claims for the years 1961-62 and 1962-63. Indeed a perusal of the Balance Sheets for those two years show clearly that there was no available surplus out of which bonus could be paid to the workmen. Taking all these circumstances into consideration, I am of the view that the settlement reached between the Parties during the course of the proceedings before this Tribunal is just

fair and reasonable and accepting the Settlement, I pass the following :—

AWARD

The terms of settlement arrived at between the Parties, a copy of which is annexed hereto, will be the Award in the above case. There will be no order as to costs.

V. C. RAMACHANDRAN
Presiding Officer.
Additional Industrial Tribunal,
Bangalore.

ORDER.

Bangalore, dated the 15th September 1967.

S. O. 1931.—WHEREAS by State Government Order No. PLM 375 LLD 63, dated 1st October 1963, the Industrial Dispute between the Workmen and the Management of India Tin Industries, (P) Ltd., Old Madras Road, Bangalore-16. was referred to the Industrial Tribunal, Bangalore for adjudication ;

And whereas this dispute was transferred to Additional Industrial Tribunal, Bangalore by G.O.No. LMA 595 LLE 66, dated 17th Dec. 1966.

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. PLM 375 LLD 63.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary

1171

DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS.

NOTIFICATION I.

Bangalore, dated 30th September 1967.

S. O. 1932.—The Governor of Mysore hereby makes the following amendments in Notification No. GAD 31 SRR 63, dated the 2nd September 1963, sanctioning the establishment of the State Services Cadres in respect of the Office of the Advocate General under Mysore General Service, namely:—

In the said Notification,—

(1) before the entries relating to Class III Posts, the following entries shall be inserted and shall be deemed to have been inserted with effect from the 1st day of February 1967, namely :—

" Class II Post.

Manager	1	Rs. 250–20–350–25–500"

(2) under the heading "Class III Posts", the entries relating to the category of post of Manager shall be omitted and shall be deemed to have been omitted with effect from the 1st day of February 1967.

(3) for the entries relating to I Division Clerks, the following entries shall be substituted and shall be deemed to have been substituted with effect from the 18th day of October 1966, namely:—

" Assistant Managers	3	Rs. 110–5–150–6–180–10–200 with Special Pay of Rs. 20 p.m.
I Division Clerks		Rs. 110–5–150–6–180–10 –200"

G. S. PATHAK,
Governor of Mysore.

[No. LAW 71 LAG 67.]

By Order and in the name of the Governor of Mysore,

1208

S. V. PAPA REDDY,
Secretary to Government,
Department of Law and Parliamentary Affairs.

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

FINANCIAL SECRETARIAT.

NOTIFICATION.

Bangalore, dated 21st September 1967.

S. O. 1966.—In exercise of the powers conferred by section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Sullia Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purpose of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections, 11, 12 and 13 of the Said Act.

SCHEDULE.

Name of the District ... South Kanara.

Name of the Taluk ... Sullia.

Name of the Village. ... Alatty.

Name of the Block ... Alatty Block II.

Survey Field numbers ... 336/4 and 63/2.

Extent ... 516.25 Acres.

The boundaries of the block referred to above are:—

BIT-I

North:—Starting from the station No. 160 (and Cairn No. 11) the demarcation line of the proposed block runs in North-East direction to station No. 163, a distance of 1095 links, passing through the intermediate stations 161 and 162. Thence it runs in South-East direction to station No. 165, a distance of 636 links, passing through the intermediate station 164. Thence it runs in almost North-East direction, a distance of 1024 links to reach the station No. 169, which is situated almost South-West from the Eastern corner of survey stone of survey No. 66, passing through the intermediate stations 166 to 168. Thence it continues in the same North-East direction to station No. 170, a distance of 667 links. From there it runs in Northern direction to station No. 171, a distance of 266 links. Again the line runs in North-East direction a distance of 833 links to reach the station No. 174 passing through the intermediate stations 172 and 173. Therefrom the line runs in North West direction a distance of 919 links, to reach the station No. 177, passing through the intermediate stations 175 and 176 Thence it runs in almost Northern direction, a distance of 268 links to reach the station No. 179, passing through the intermediate station 178. Therefrom the line runs in almost Eastern direction, a distance of 1784 links to reach the station No. 185, passing through the intermediate stations 180 to

184. Thence it runs in a most Southern direction a distance of 910 links to reach the station No. 187, passing through the intermediate station 186. Thence it runs in North West direction to station No. 188 a distance of 510 links. Thence the line runs in South-West direction a distance of 787 links to reach the station No. 2, passing through the intermediate stations 189 to 1. Again it runs in South-East direction, a distance of 846 links to reach the station No. 4 passing through the intermediate station 3. Again it runs in a most southern direction, a distance of 910 links to reach the station No. 7, passing through the intermediate stations 5 and 6 Again it runs in South-East direction a distance of 738 links to reach the station No. 11, passing through the intermediate stations 8 to 10. Thence it runs in almost southern direction a distance of 550 links to reach the station No. 13, passing through the intermediate station 12. From there the line runs in almost North-East direction a distance of 1020 links to reach the station No. 17, passing through the intermediate stations 14 to 16. Thence it runs in almost Eastern direction a distance of 1020 links to reach the station No. 20, passing through the intermediate station 18 and 19. Again it runs in North-East direction to station No. 21, a distance of 560 links. From there it runs in South-East direction a distance of 710 links to reach the station No. 23, passing through the intermediate station 22. Thence it runs in North East direction, a distance of 425 links, to reach the station No. 25 passing through the intermediate station 24. Thence it runs in almost Eastern direction a distance of 842 links to reach the station No. 27, passing through the intermediate stations 26 to 28. Thence the line runs in almost southern direction a distance of 260 links to reach the station No. 31, passing through the intermediate stations 30. Thence it runs in South East direction to station No. 32. a distance of 510 links. From there it runs in almost North-East direction a distance of 1767 links to reach the station No. 36, passing through the intermediate stations 33 to 35. Thence it runs in almost South-East direction, a distance of 1571 links to reach the station No. 42 passing through the intermediate

stations 37 to 41. Thence it runs in almost Eastern direction, a distance of 845 links to reach the station No. 44, passing through the intermediate station 43. Bearings and distances from station to station are as follows:—

Station From	Numbers To	Bearings in F. B.	Distance in links
1	2	3	4
160	161	69	695
161	162	70½	236
162	163	83	265
163	164	108	178
164	165	115	458
165	166	32	367
166	167	58	130
167	168	44	315
168	169	49	203
169	170	41	367
170	171	7	206
171	172	23	213
172	173	28½	330
173	174	33	290
174	175	325	277
175	176	325½	206
176	177	320	436
177	178	343½	106
178	179	353	102
179	180	84	375
180	181	70½	250
181	182	75	160
182	183	101	425
183	184	85	129
184	185	89	446
185	186	172½	475
186	187	196	425
187	188	285½	590
188	189	205½	125
189	190	206½	297
190	191	205	315
191	1	201½	805
1	2	198½	255
2	3	150	145
3	4	159	101
4	6	186½	460

1	2	3	4
5	6	164	130
6	7	179	340
7	8	148	205
8	9	141	440
9	10	135½	148
10	11	155	145
11	12	165	240
12	13	166	310
13	14	66½	375
14	15	61½	110
15	16	42½	280
16	17	60	255
17	18	81½	410
18	19	83½	375
19	20	74	235
20	21	66½	560
21	22	125	285
22	23	117½	445
23	24	28½	255
24	25	40	170
25	26	106½	300
26	27	90½	265
27	28	97	177
28	29	116	100
29	30	162	140
30	31	170½	120
31	32	123	540
32	33	49½	322
33	34	45	175
34	35	41	460
35	36	54	820
36	37	105	156
37	38	129	145
38	39	107½	430
39	40	120	180
40	41	129½	100
41	42	146½	560
42	43	116½	335
43	44	96	510

East:—Thence the demarcation line runs in almost Southern direction a distance of 1037 links to reach the station No. 48, passing through the intermediate stations

45 to 47. Thence it runs in South-West direction a distance of 1010 links to reach the station No. 51, passing through the intermediate stations 49 and 50 Thence the line runs in North-West direction a distance of 1103 links to reach the station No. 54, passing through the intermediate stations 52 and 53. Again it runs in Northern direction a distance of 626 links to reach the station No. 56, passing through the intermediate station 55. From three it runs in Nort-West direction to station No 57, a distance of 700 links. Therefrom it runs in almost Southern direction, a distance of 1487 links to reach the station No. 61, passing through the intermediate stations 58 to 60. Ther from the line runs in almost Western direction, a distance of 2367 links to reach the station No. 66, passing through the intermediate stations 62 to 65. From there it runs in South-West direction a distance of 900 links to reach the station No. 68, passing through the intermediate station 67. From there it runs in western direction to station No. 69, a distance of 540 links. Thence it runs in North-West direction a distance of 1630 links to reach the station No. 76 passing throrgh the intermediate stations 70 to 75. Again it runs in Western direction to station No. 77, a distance of 810 links. Again it runs in Southern direction to station No. 78, a distance of 407 links. Thence it runs in almost western direction a distance of 1140 links to reach the station No. 81, passing through the intermediate stations 79 and 80. Thence it runs in almost southern direction a distance of 994 links to reach the station No. 83, passing through the intermediate station 82. Thence it runs in almost South-East direction, a distance of 806 links to reach the station No. 85 passing through the intermediate station 84. Thence it runs in almost Eastern direction to station No. 86, a distance of 405 links. From there it runs in South-East direction, a distance of 709 links to reach the station No. 89, passing through the intermediate stations 87 and 88. From there it runs in almost North-East direction, a distance of 1307 links to reach the station No. 93, passing through the intermediate stations 0 to 92. Thence it runs in almost Eastern direction a distance of 2140 links to reach the station No. 99,

passing through the intermediate stations 94 to 98. Bearing and distances from station to stations are as follows :—

Station Numbers From	To	Bearings in F. I.	Distance in links
1	2	3	4
44	45	271	430
45	46	193½	113
46	47	193	170
47	48	192	375
48	49	23	335
49	50	230½	315
50	51	231	410
51	52	32 ½	540
52	53	331	218
53	54	3 9	350
54	55	3 0	326
55	56	2½	300
56	57	2 4½	300
57	58	194	600
58	59	175	440
59	60	176	325
60	61	19½	292
61	62	2 3½	545
62	63	279½	533
63	64	283½	690
64	65	284	290
65	66	300	310
66	67	201½	610
67	68	221½	290
68	69	276	540
69	70	295	270
70	71	299½	235
71	73	301	450
72	73	302	200
73	74	300	175
74	75	301½	160
75	76	3 6	480
76	77	261	310
77	78	184	407
78	79	27 ½	235
79	80	265	3 0
80	81	260½	755
81	82	1 8	550

1	2	3	4
82	83	172	444
83	84	111½	386
84	85	103	420
85	86	78	405
86	87	128	390
87	88	129	103
88	89	113½	216
89	90	46	330
90	91	79½	490
91	92	70	187
92	93	76	309
93	94	98	440
94	95	102	260
95	96	96½	175
96	97	91½	370
97	98	91½	300
98	99	98	595

South :—Thence the demarcation line runs in South-West direction near 'Adinja Byle', a distance of 1053 links to reach the station No. 101, passing through the intermediate station 100. Thence it runs in Western direction to station No. 102, a distance of 595 links. Thence it runs in North-West direction to station No. 103, a distance of 730 links. Again the line runs in almost South-West direction a distance of 2012 links to reach the station No. 104, passing through the intermediate stations 104 to 109. Again it runs in North-West direction, a distance of 969 links to reach the station No. 111, passing through the intermediate station 110. From there it runs in almost South-West direction, a distance of 1645 links to reach the station No 118, passing through the intermediate stations 112 to 117. Thence it runs in North-West direction to station No. 119, a distance of 600 links. Thence it runs in Western direction to station No. 120 a distance of 350 links. Thence it runs in Southern direction, a distance of 530 links to reach the station No. 122, passing through the intermediate station 121. Again it runs in South-West direction to station No. 123, a

distance of 705 links. Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F.B.	Distances in links
99	100	244	710
100	101	233½	343
101	102	264½	595
102	103	293½	730
103	104	262	150
104	105	255	460
105	106	247½	160
106	107	242½	645
107	108	214½	172
108	109	215	425
109	110	311	564
110	111	295	405
111	112	25½	355
112	113	261	175
113	114	267	165
114	115	248½	365
115	116	239	150
116	117	244	1 0
117	118	251½	255
118	119	324	600
119	120	259	350
120	121	188	100
121	122	188	430
122	123	242	70 ,

West.—Thence the line runs in almost North-West direction, a distance of 2630 links to reach the station No. 129 passing through the intermediate stations 124 to 128. Thence it runs in almost North-East direction to station No. 131, a distance of 465 links passing through the intermediate station No. 130. Again it runs in South-East direction to station No. 132, a distance of 440 links. From there it runs in North East direction, a distance of 652 links to reach the station No. 134 passing through the intermediate station 133. Again it runs in Southern direction to station No. 135, a distance of 300 links. Thence it runs in Eastern direction to station No. 136, a distance

of 220 links. Thence it runs in South-East direction to station No. 137, a distance of 150 links. From there it runs in North-East direction, a distance of 1045 links to reach the station No. 140, passing through the intermediate stations 138 and 189. From there it runs in North-West direction, a distance of 700 links to reach the station No. 141, passing through the intermediate station 141. Thence it runs in Western direction, a distance of 1345 links to reach the station No. 145, passing through the intermediate stations 143 and 144. From there the line runs in almost North-West direction, a distance of 1590 links, to reach the station No. 151, passing through the intermediate stations 146 to 150. Thence it runs in South-East direction, a distance of 750 links to reach the station No. 154, passing through the intermediate stations 152 and 153. Again it runs in almost North-East direction, a distance of 785 links to reach the station No 156, passing through the intermediate station 155. Again it runs in North-West direction, a distance of 413 links to reach the station No. 158, passing tarough the intermediate station 157. Again it runs in Northern direction to station No 159, a distance of 298 links. Thence it runs in North West direction to station No. 160, a distance of 650 links, which is the starting point. Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F.B.	Distances in links
1	2	3	4
123	124	316½	445
124	125	52½	619
125	126	316½	284
126	127	321	186
127	128	311½	920
128	129	359½	176
129	130	1½	201
130	131	49½	265
131	132	104	440
132	133	82	405
133	134	79	247

1	2	3	4
134	135	160	300
135	136	93	220
136	137	124½	156
137	138	70½	318
138	139	66	450
139	140	38½	250
140	1 1	314	400
141	142	301½	300
142	143	269	580
143	144	260	475
144	145	255½	270
145	146	287	144
146	147	297	274
147	148	338	405
148	149	341½	298
149	150	310	295
150	151	33 ½	171
151	152	123½	313
152	153	12	164
153	154	11 ½	261
54	155	19½	495
155	156	35	290
156	157	318	221
157	158	336	190
158	159	C	298
159	160	327	650
			Starting point.

Bit II.

North.—Starting from the station No. 46 (Cairn No. 34), the demarcation line of the bit II of the proposed block runs first in almost Eastern direction to station No. 47, a distance of 455 links. Thence it runs in almost Southern direction, a distance of 630 links to reach the station No. 49 passing through the interm diate station 48. From there it runs in South West direction to station No. 50, a distance of 365 links. Thence it runs in almost South-East direction a distance of 658 links to reach the station No. 53 passing through the intermediate stations 51 and 52. From there it runs in almost Eastern direction a

distance of 635 links to reach the station No. 56, passing through the intermediate stations 54 and 55. Thence it runs in North-East direction to station No. 57, a distance of 270 links. From there it runs in South-East direction, a distance of 609 links to reach the station No. 59, passing through the intermediate station 58. From there it runs in Southern direction a distance of 474 links to reach the station No. 61, passing through the intermediate station 60. From there it runs in South-East direction to station No. 62, a distance of 195 links. From there it runs in almost Eastern direction to station No. 63, a distance of 278 links. Again it runs in almost North-East direction, a distance of 400 links, to reach the station No. 65 passing through the intermediate station 64. Thence it runs in Northern direction to station No. 66, a distance of 385 links. Thence it runs in North-East direction a distance of 565 links to reach the station No. 69 passing through the intermediate stations 67 and 68. Thence it runs in South-East direction, a distance of 665 links to reach the station No. 71, passing through the intermediate station 70. From there it runs in almost North-East direction a distance of 1156 links to reach the station No. 75, passing through the intermediate stations 72 to 74. Thence it runs in almost South-East direction to station No. 76, a distance of 310 links. Thence it runs in North-East direction, a distance of 405 links to reach the station No. 78, passing through the intermediate station 77. Thence it runs in almost Southern direction a distance of 987 links to reach the station No. 82, passing through the intermediate stations 79 to 81. From there it runs in South-East direction to station No. 83, a distance of 270 links. From there it runs in Eastern direction to station No. 84, a distance of 400 links. Thence it runs in North-East direction to station No. 85, a distance of 370 links. From there it runs in South-East direction to station No. 86, a distance of 220 links. Again it runs in Southern direction, a distance of 425 links to reach the station No. 88, passing through the intermediate station 87. Therefrom the line runs in almost South-East direction a distance of 1837 links to reach the station No. 91, passing through the intermediate stations 89 and 90. Again the line runs in eastern

direction to station No. 92, a distance of 385 links. Again it runs in South-East direction to station No. 93, a distance of 425 links. Again it runs in Eastern direction to station No. 94, a distance of 490 links. Thence it runs in North-East direction a distance of 822 links to reach the station No. 96 passing through the intermediate station 95. Therefrom the line runs in almost South-East direction a distance of 2230 links to reach the station No. 103, passing through the intermediate stations 97 to 102. From there it runs in almost easterly direction a distance of 2522 links to reach the station No 111, passing through the intermediate stations 104 to 110. Again the line runs to station No. 112, a distance of 518 links.

Bearings and Distances from station to station are as follows:—

Station Numbers From	To	Bearings in F.E.	Distances in links
1	2	3	4
46	47	101½	455
47	48	169⅓	330
48	49	185	300
49	50	207	365
50	51	161½	214
51	52	155½	90
52	53	167½	384
53	54	111	105
54	55	103½	275
55	56	77	255
56	57	47	270
57	58	142	365
58	59	147½	244
59	60	185	234
60	61	187	240
61	62	116½	195
62	63	98	278
63	64	44½	260
64	65	27	140
65	66	1	385
66	67	44½	165

1	2	3	4
67	68	62	195
68	69	49½	205
69	70	148⅛	3 0
70	71	123	355
71	72	85	440
72	73	60½	421
73	74	4· ⅛	140
74	75	57	150
75	76	10 ⅛	3 0
76	77	63	200
77	78	65	205
78	79	1[illegible]2	290
79	80	176	272
80	81	186½	257
81	82	184	168
82	3	163	270
83	84	85	400
84	85	64⅛	370
85	86	161	220
86	87	18-⅛	300
87	88	187	125
88	89	154	422
89	90	150	510
90	91	124	405
91	92	85⅛	385
92	93	119	425
93	94	101⅛	490
94	95	64	412
95	96	67	400
96	97	118	425
97	98	112	412
98	99	180	527
99	100	114	260
100	101	124	360
101	102	119⅛	126
102	103	11[illegible]⅛	130
103	104	10	200
104	105	9[illegible]⅛	1 5
105	106	99⅛	410
106	107	99⅛	490
107	108	9 ⅛	100
108	109	94⅛	445
109	110	91⅛	280
110	111	82	441
111	112	61	518

East.—Thence the demarcation line runs first in South-East direction a distance of 590 links to reach the Station No. 115, passing through the intermediate stations 113 and 114. From there the line runs in almost southern direction a distance of 112 links to reach the Station No. 117, passing through the intermediate station 116.

Bearings and distances from station to station are as follows :—

Station Numbers		Bearings in F. B.	Distances in links.
From	To		
112	113	137½	375
113	114	140½	125
114	115	136	90
115	116	174	280
116	117	173	133

South.—Thence the line runs in South-West direction a distance of 873 links to reach the Station No. 120, passing through the intermediate stations 118 and 119. From there it runs in almost North-West direction a distance of 1,915 links to reach the Station No. 125, passing through the intermediate Stations 121 to 124. From there it runs in almost western direction to Station No 126, a distance of 560 links. Again it runs in North-West direction to Station No. 127, a distance of 420 links. From there it runs in almost South-West direction a distance of 766 links to reach the Station No. 129, passing through the intermediate Station 128. Again it runs in western direction to Station No. 130, a distance of 354 links. From there it runs in almost North-West direction a distance of 1400 links to reach the Station No. 133, passing through the intermediate Stations 131 and 132. From there it runs in almost South-East direction a distance of 1,079 links to reach the Station No. 137, passing through the intermediate Stations 134 to 136. Again it runs in almost western direction a distance of 1,350 links to reach the Station No. 140 passing through the intermediate Stations 138 and 139. From there it runs

in South-West direction a distance of 518 links to reach the Station No. 142, passing through the intermediate Station 141. Thence it runs in almost western direction a distance of 970 links to reach the Station No. 146, passing through the intermediate Stations 143 to 145. From there it runs in North-West direction to Station No. 147, a distance 325 links. Again it runs in almost northern direction, a distance of 895 links, passing through in the intermediate Station 148 to reach the Station No. 1 (Cairn No. 1) which is situated 450 links eastern side from the Station No. 44 (Cairn No. 29) of Bit I. Thence it runs in North-East direction to Station No. 2, a distance of 224 links. From there it continues in almost North-East direction a distance of 610 links to reach the Station No. 4, passing through the intermediate Station 3. Thence it runs in almost northern direction to Station No. 5, a distance of 190 links. From there it runs in almost western direction a distance of 691 links to reach the Station No. 7, passing through the intermediate Station 6. From there it runs in almost North-West direction, a distance of 2,155 links to reach the Station No. 10, passing through the intermediate Stations 8 and 9. Again it runs in almost northern direction a distance of 690 links to reach the Station No. 13, passing through the intermediate Stations 11 and 12. Again it runs in western direction to Station No. 14, a distance of 325 links. Thence it runs in South-West direction to Station No. 16, a distance of 491 links, passing through the intermediate Station 15. From there the line runs in almost western direction, a distance of 935 links to reach the Station No. 19, passing through the intermediate Stations 17 and 18. From there it runs in almost North-West direction, a distance of 633 links to reach the Station No. 22, passing through the intermediate Stations 20 and 21. Thence it runs in almost western direction a distance of 575 links to reach the Station No. 25, passing through the intermediate Stations 23 and 24. Again the line runs in almost South-West direction a distance of 770 links, to reach the Station No. 28, passing through the intermediate Stations 26 and 27. From there the line continues in almost western direction, a distance of

1,506 links to reach the Station No. 32, passing through the intermediate Stations 29 to 31.

Bearings and distances from Station to Station are as follows:—

Station Numbers		Bearings in F. B.	Distance in links
From	To		
1	2	3	4
117	118	241	175
118	119	248½	142
119	120	243	556
120	121	298	370
121	122	298	336
123	124	286½	510
124	125	287	345
125	126	259½	500
126	127	320½	420
127	128	256½	500
128	129	235½	266
129	130	265½	384
130	131	326	300
131	132	321½	576
132	133	286½	525
133	134	162	368
134	135	149	348
135	136	161	150
136	137	174	213
137	138	271	375
138	139	264	530
139	140	270	475
140	141	243	378
141	142	241	140
142	143	270	210
143	144	265	350
144	145	277	200
145	146	273	210
146	147	340	325
147	148	5	362
148	1	357	533
1	2	20½	224
2	3	72	180

1	2	3	4
3	4	76½	430
4	5	15	190
5	6	277½	395
6	7	287	396
7	8	309	710
8	9	309	575
9	10	288½	370.
10	11	342	150
11	12	347½	145
12	13	355½	395
13	14	272	325
14	15	317½	385
15	16	225	106
16	17	379	250
17	18	276	265
18	19	256	420
19	20	294	395
20	21	323½	163
21	22	325	125
22	23	270½	130
23	24	273½	190
24	25	280	255
25	26	190	380
26	27	196½	190
27	28	230	200
28	29	286½	350
29	30	274	162
30	31	270	650
31	32	287	344

West: Thence the demarcation line runs in North-East direction, a distance of 495 links to reach the station 34, passing through the intermediate station 33. Thence the line runs in North-West direction, a distance of 1263 links to reach the station No. 40, passing through intermediate stations 35 to 39. Thence the line runs in almost Northern direction a distance of 2112 links to reach the station

No. 43 which is the starting point of bit II passing through the intermediate stations 41 to 45.

Bearings and distances from station to station are as follows:

Station From	Numbers To	Bearings in F. B.	Distances in links.
32	33	55½	215
33	34	55	280
34	35	342	210
35	36	335	240
36	37	321½	330
37	38	316½	235
38	39	330½	100
39	40	337	148
40	41	19½	300
41	42	2	220
42	43	26	387
43	44	2½	310
44	45	10	450
45	46	4½	345

Which is the starting point.

Statement of existing Water privileges inside the proposed Aletty Block-II in S. No. 336/1A and 63/2 of Aletty Village Puttur Taluk.

Bit I.

Item No.	Nature of water privilege	C.Nos. between which the water runs	S. No. of the land being irrigated.	Name of pattadar
1.	Water Course	8—9	S. No. 8	Sri Nodchil Keshva Bhat.
2.	Water Course	15—16	S. No. 8	Sri Nodchil Keshva Bhat.
3.	Water Course	37-38	S. No. 47/B	Sri Nachanna Banta
4.	Tank with Channel	44-45	S. No. 336/1A (Encroachment	Sri Narayana Naika, S/o Madhava Naika.
5.	Tank with Channel	51-52	S. No. 620/4	Krishnappa Naika.
6.	Tank with Channel	113-119	S. Nos. 75/1A,77/6	Sanjiva *alias* Laxmiamma.
7.	Tank with Channel	121-122	S. Nos. 66,75/2 and 76/4	Sanjiva *alias* Laxmiamma.

Bit II

1.	Natural Water Channel	16–17 and 46–47	S. No. 16/3	Ishwara Bhat and Shivarama Bhat.
2.	Water Course	26–27	S. No. 409/4	Sri Nedchil Keshava Bhat.
3.	Small tank with Channel	53–54	S. No. 23	Ishwara Bhat and Shivarama Bhat.
4.	Small tank with Channel	105–105	S. No. 442/2	Krishna Naika Mulgenidar :— Annakoosa Gowda.

Right of ways.

(a) *Fair Weather Road* :—From Sullia the fair-weather road enters the bit I of the block between cairn Nos. 123 and 124 and comes out between cairn Nos. 140 and 1 of the same bit and goes to 'Nedchil'.

(b) *Foot Path* :—(i) From 'Nedchil' the foot path enters the bit I of the block between cairn Nos. 9 and 10 and gets bifurcated in the middle of the block and after bifurcation one leaves the same bit between cairn Nos. 55 and 56 and goes to 'Nellikody' and another leaves the same bit between cairn Nos. 103 and 103 and goes to 'Guthinadka'.

(ii) From 'Aramboor' the foot-path enters the bit I of the block between cairn Nos. 19 and 20, and gets bifurcated in the middle. After bifurcation, one leaves the same bit between cairn Nos. 41 and 42 and goes to 'Goodinje' and another leaves the same bit between cairn Nos. 45 and 46 and goes to 'Donimcole'.

(iii) From 'Donimoole' another foot path enters the bit I of the block between cairn Nos. 66 and 67 and leaves the block between cairns 76 and 77 of the same bit and goes to 'Adinje'.

(iv) From 'Kootelu' the foot path enters the bit II of the block between cairn Nos. 33 and 34 and comes out between cairn Nos. 35 and 36 and goes to Aramboor.

(v) From 'Ara-aboor' another foot path enters the bit II between cairn Nos. 46 and 47 and leaves the bit between cairn Nos. 17 and 18 and goes to 'Nedchil'.

(vi) From 'Anjikaru' one more foot path enters the bit II between cairn Nos. 81 and 83 and leaves the bit between cairn Nos. 93 and 99 and goes to 'Hottanakana'.

(vii) From 'Anjikaru' two more foot paths enter the bit II between cairn Nos. 86 and 67 and they get joined together in the middle and finally this foot path emerges between cairn Nos. 91 and 92 and goes to 'Doddadka'.

Other Privileges.

1. Free grazing of cattle by villagers.
2. Free removal of green manure leaves for *bona fide* use by the ryots.
3. Free removal of dry fuel for *bona fide* use by the villagers.

[AFD 182 FAF 67.]

By Order and in the name of the Governor of Mysore,

M. W. WINSTON, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

ORDER

Bangalore, dated 7th October 1967.

S. O. 1967.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Karnatak Bangle Works, No. 4/3, Platform Road, Seshadripuram, Bangalore –20, on the points noted below :

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Additional Industrial Tribunal, Bangalore.

Points of Dispute

"Are the workers of Karnatak Bangle Works, No. 4/3, Platform Road, Seshadripuram, P. B. No. 1030, Bangalore–20, justified in demanding the following ?

1. Every unskilled worker shall be paid minimum wage of Rs. 85 per month.

2. An immediate increase of 30 per cent of the wage or Rs. 30 per month whichever is higher shall be paid to every worker.

3. Dearness Allowance of 25 Paise per point of increase over the Consumer Price Index Numbers for Bangalore published by Government for the month of April 1966.

4. Paid Casual Leave for 10 days in a year.

5. Supply of ½ a litre Milk a day to all the employees.

6. Attendance Bonus of 2 days' wages in every month.

7. Every worker shall be made permanent after 3 months of service".

[No. FCL 552 LLD 66.]

By Order and in the name of the Governor of Mysore,

1238 G. G. Purohit, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 4th October 1967.

S. O. 1968 .—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957 the Government of Mysore are pleased to sanction continuation of affiliation of the Government College, Mandya to the Mysore University, for teaching the following courses :—

(i) P. U. C. (Arts)—History, Economics, Political Science for 1967-68.

(ii) B. A. Degree (I and II Years) for 1967-68 Kannada, Sociology (Majors), Philosophy (Minor)

(iii) B. Sc. Degree for 1966-67 and 1967-68—Physics, Mathematics (Majors), Chemistry (Minor)—36 students ;

Subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 79 UAC 67.]

By Order and in the name of the Governor of Mysore,

1234 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 30th September/5th October 1967.

S. O. 1969.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Malnad College of Engineering Hassan, to the Mysore University, to run the Fourth and Final year classes of the B. E. Degree-Five-Year Integrated Course in Civil, Mechanical and Electrical branches in the ratio of 40 : 40 : 40 with a maximum intake of 120 students to the first year for the year 1967-68 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 45 UAC 67.]

By Order and in the name of the Governor of Mysore,

1235 S. N. SREENATH, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES, LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR)

Labour Disputes.—Industrial Dispute between the Workmen and the Management of M/s. M.G.S. (Private) Ltd., Nazarbad Road, Mysore. Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 664/67-68, dated 14th September 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 14th day of September 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B. ... Presiding Officer.

Reference No. 117 of 1966

Workmen represented by the Secretary, Mysore Division Motor Workers Association, Old Post Office Road, Chamarajanagar.

... *I Party.*

Vs

The Management of M/s. M. G. S. (Private) Ltd., Nazarbad Road, Mysore.

... *II Party.*

Reference.

Government Order No. LMA 428 LLD 66, dated 20th September 1966.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. M.G.S. (Private) Ltd., Mysore, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 428 LLD 66, dated

20th September 1966, setting out the following points of dispute for adjudication :—

"Is the Booking Agent, Sri B. Nagaraj, M/s. M. G. S. (Private) Ltd., Nazarbad Road, Mysore, entitled for reinstatement with back wages and continuity of service? if not, to what other relief he is entitled to?"

2. The cause of the aggrieved workman Sri B. Nagaraj has been sponsored by the Mysore Division Motor Worker's Association, Chamarajnagar, which is a registered Trade Union. This Union as representing the workmen is the first party and the Management of M/s. M. G. S. (Private) Ltd., is the second party in this proceeding. Mr. S. K. Sastry has appeared for the first party Union and Mr. Stanley Victor has appeared for the management.

3. In response to the notice issued by this court, the first party has submitted its statement of claims dated 19th January 1967. It has alleged therein that Nagaraj, the person concerned in this dispute was working as a booking agent under the Management for about 13 years; he was a permanent booking agent; he was discharging his duties properly and loyally, without any bad remarks; even then, the management of the second party terminated his services abruptly on 9th February 1966 without any charge or enquiry; the termination of his services is illegal and improper; hence the management of the second party be directed to reinstate him in his former post with full back wages and continuity of service etc.

4. The management of the second party has submitted its statement of objections dated 28th January 1967. The contentions raised by it are that Nagaraj was not a workman employed by it; there was no relationship of master and servant or an employer and employee between itself and Nagaraj; Nagaraj was only a sub-booking agent under one Venkatappa who was its permanent booking agent; as some routes were given up by it for running their transport services it told Venkatappa that he was no longer required by it as a booking agent; hence Nagaraj lost his sub agency since there was no relationship of an employer and employee between itself and Nagaraj; Nagaraj cannot be considered as a workman as defined by Section 2 (s) of the Industrial Disputes Act, 1947: consequently the dispute that has been referred for adjudication would not be an industrial dispute and hence this court would have no jurisdiction to adjudicate upon it; hence the demand of the first party be rejected with costs etc.,

5. On these pleadings, the following issues were framed on 27th February 1967 (*Vide* Order Sheet and set down for hearing.

1. Does the I Party prove that Nagaraj is a workmen within the definition given in Section 2 (s) of the Industrial Disputes Act?
2. Was there the relationship of employee and employer between him and the second party?
3. Does the I Party prove that the Manngement of the II Party has illegally terminated the services of the said Nagaraj?
4. What Award

Parties were asked to lead evidence on these issues and they have done so. The first party has examined Nagaraj (W. W. 1) and produced four documents marked Exts. W. 1 to 4. The second party has not examined any witnesses, but has produced six documents marked Exts. M 1 to M. 6. This is all the evidence in this case and I now proceed to discuss it.

6. The principle question arising for decision in this case is whether the concerned workman Nagaraj is a "workman" as defined in Section 2 (s) of the Industrial Disputes Act, 1917. It is his case that he was working only as the Stand Booking Agent under the management of the second party. But it has been laid down in various decisions by the Supreme Court and other High Courts, that the designation of the post held by the concerned workman is not a decisive factor for determining whether he is or is not a workman Likewise, the mode in which a person concerned receives payment for the work done by him is also not quite relevant to the issue. The question shall have to be decided on the basis of what work the person coucerned actually does or is required to do.

7. Nagaraj, as stated by him started his career as a booking Agent in 1947 or 1948 under a Transport Company by name Gayathri Motor Service at Mysore. His duty was to issue tickets to passengers and collect the prescribed fare from them and get a commission of one anna per rupee collected by him as remuneration. This Gayathri Motor Service was purchased by the Second Party in 1953 or 1954 and according to Nagaraj, he was continued as booking agent as before by the second party also. He has very clearly stated that he was not doing any other kind of work for the second party except working as a booking agent. In para 3 of his deposition, he has stated his work, as booking agent, was not being

checked by anybody on behalf of the second party; the ticket books used to be sent to him by the second party through the conductors whenever he wanted them; the amount collected by him used to be handed over by him to the line conductor deducting the commission due to him; for one rupee so collected he used to retain one anna as his commission and hand over fifteen annas to the line conductor after obtaining his acknowledgement.

8. Then in para 7 of his cross-examination he has stated that he is not in possession of any order of appointment given either by Gayathri Motor Service or by the second party. He was not signing in any attendance registers or wage registers maintained by he second party and no order of termination as such had been given to him by the second party etc. Then in his re-examination he has stated that no attendance registers had been maintained by the second party formerly; since the last 2 or 3 years the second party has been maintaining attendance registers for its employees and even in these registers his name does not appear. Then he has added that when questioned why his name was not mentioned in the attendance register he was told by the second party that the names of the booking agents would not be entered in them. This is practically all that has been stated by way of oral evidence.

9. From the very statement made by Nagaraj, it is clear that he did no other work under the second party except issuing tickets to passengers when the bus came to the stand, collect the fare from them and hand over the amount so collected to the line conductor of the bus after deducting his own commission. When handing over the amount to the conductor he used to prepare the trip sheets of the type of Ex.M.1 to M. 6. He has admitted that he has prepared and signed Exts. M. 1 to M.6. This would mean that his duty would start only when any bus came to the bus stand and ended immediately the bus left the place It is clear that he had no definite working hours as such, and the work he was doing was not controlled by anybody and much less by the management of the second party As I have said above already, the nature of the work done by a per on determines his status *i.e.*, whether he is a workman or not. The leading case on this topic is the decision of the Supreme Court reported in 1957 I LLJ 477 (Dharangadha Chemical Works Ltd. *Vs.* State of Soutashtra and others) It has been observed therein :—

"The principles according to which the relationship between employer and employee or master and servant has got

> to be determined are well settled. The *prima facie* test which applied in order to determine the relationship is the existence of right of control in respect of the manner in which the work is to be done. There is a distinction between a contract for service and a contract of service. In the first case the master can order or require what is to be done while in the second case he can not only order or require what is to be done but how it shall be done."

In cases of this type, a question usually arises whether there is a employer-employee relationship between the worker and the alleged employer or that the relationship is that of principal and independent contractor and within the contractor is not looked upon as the employee of the industry. Often the Court is required to find out whether the real status of the person concerned is like that of an independent contractor or only as a servant or paid agent of the principle employer. The traditional test of the relation of employer and employee is said to be in the right of 'X' to control 'Y'. A servant is one whose work is under the control of another. A person is under the control of another if he is bound to obey the order of that *i.e.* the ther may tell him no only the work to perform but also how to perform it and the mannt er of its execution. Under a contract of service, a man is employed as part of the business and his work is done as an integral part of the business ; whereas, under a contract for service, his work, although done for the business, is not integrated into it but is only accessory to it. An employee is a part and parcel of an organisation, but an independent contractor is merely an accessory to the orgnnisation. Various factors have to be taken in to account to find out whether there exists the relationship of master and servant between two parties. The method of payment is also one of the factors to be taken into account. If the person concerned is paid by time he is more likely to be a workman. If he is paid by job he is more likely to be a contractor. Another factor to be taken into account is whether the person claiming the status of a workman is required to work in the regular business hours of the employer or not. If the former, he is likely to be a workman and if the latter, he may not be one. Whether the time of the person concerned was at the disposal of the person who is said to be the employer is also one of the important factors to be taken into account. An agent is engaged to bring his principal into contractual relations with a third party, but the manner in which that is to be done is left to the discretion of the agent. An independent

contractor is a person who undertakes to produce a given result, but while he is executing the work he is not under the order or control of the person for whom he does the work, and might use his discretion in things not specified by the employer. A principal has the right to direct an agent what to do while a master has this right and a further right to direct how the work is to be done. A person who is required to devote a specified time to the work, some of it under instruction and control is a servant. Where there is no obligation to provide work, but merely an agreement that in certain event one would pay remuneration to the other the relationship between the parties is not one of master and servant but is one of agency.

10. Now if we apply the various tests mentioned above, which I have culled out from some decisions of the Supreme Court and the High Court, we find that there was no specific agreement on the part of the second party to provide work to Nagaraj. The agreement was that the second party should pay some commission to Nagaraj, if Nagaraj did some work *i.e.*, book tickets for the transport service. The second party had no control over the working hours of Nagaraj; in other words, the time of Nagaraj was not at the disposal of the second party management. Nagaraj was paid by the job he performed and not by the time spent by him. As admitted by Nagaraj, none from the management of the second party used to check the work that was done by him. The transport buses would have run as usual even if Nagaraj did not go to the bus stand and book tickets for the intending passengers. The "Control" test does not stand in this case in favour of Nagaraj. Considering therefore all these facts and circumstances, I am of the view that there was no relationship of master and servant or employer and employee between the management of the second party and Nagaraj, the person concerned in this dispute.

11. Mr. Sastry, appearing for the first party, has produced four documents in support of his contention that Nagaraj is a workman. The first document is Ex. W.1. It is a memo issued by the management of C. P. C. Motor Service, which is also said to be under the control of the second party, to Nagaraj on 24th March 1964. Therein, Nagaraj has been designated as a conductor. Ex. W.2. is the licence obtained by Nagaraj from the Regional Transport Officer to work as a booking agent. Ex.W.3 is an award passed by this Court in L. C. S. No. 40 of 1957. Ex. W.4 is a copy of the Notification issued by the Government of Mysore under the Minimum Wages Act, fixing the minimum wages of

some of the employees in the motor transport business. It is true that in Ex W 1 Nagaraj has been designated as a conductor. But that proves nothing. I have mentioned above on the authority of various decisions that designation of a person is not a conclusive evidence of his real status. So even though Nagaraj has been designated as a conductor in Ex. W.1. it cannot *per se* be held that he is a workman and that the relationship of employer and employee exists between the second party management and himself. Likewise Ex. W.2 also proves nothing. It appears that under the Motor Vehicle Rules, only a person who obtains a licence can work as a stand booking agent. Now coming to Ex. W.3 which is an award made by this court, we find that the person concerned therein had been appointed on a fixed salary and in addition to that was being paid some commission also. In those circumstances, that person was held to be a workman. But such is not the case with Nagaraj. Then in Ex. W 4. the Government of Mysore has prescribed a minimum salary of Rs. 55 per month for clerks, booking agents clerk and cashier clerks. It would only mean that if a booking agent is appointed as a workman by the management then his minimum salary should be Rs. 55 per month. On the basis of this notification, it cannot be held that booking agents in all cases are employees of the motor transport company employing them. In my opinion, therefore, the four documents relied on by Mr. Sastry do not help him to establish the fact that Nagaraj is a workman.

12. As held in Chintaman Rao *Vs* State of Madhya Pradesh (1958 II LLJ 252) the concept of employment involves three ingredients: (1) employer, (2) employee and (3) the contract of employment. An employer is one who employs, *i.e.*, one who engages the services of other persons. The employee is another who works for another for hire. The employment is the contract of service between the employer and the employee whereunder the employee agrees to serve the employer subject to his control and supervision. Nagaraj has not stated anywhere in his deposition nor has it been averred in the statement of claims that as a booking agent, he was required to serve the management of the second party under its control and supervision. Nagaraj when getting some remuneration by way of commission only if he attended the bus stand and issued tickets to passengers and collected the fare. He has not stated that an obligation was cast on him under the contract to be present and to issue tickets. No assured remuneration was also given to him. In these circumstances also, I feel that Nagaraj cannot be held to be a

workman as defined in Section 2 (s) of the Industrial isputes Act, 1947. It cannot also be said that there was a relationship of employer and employee between management of the second party and Nagaraj. Hence I record my findings on the first two issues in the negative.

13. It follows therefore that the present dispute would not be an industrial dispute because Nagaraj is not a workman. When it has not been proved that he is a workman, the termination of his service, even if it had been made by the second party would not make the present dispute an industrial dispute. Hence in my opinion, the third issue does not survive.

14. In view of the findings recorded by me on the first two issues, it follows that Nagaraj is not entitled to be reinstated as demanded by him and the first party Union on his behalf. I would therefore make an Award as under :—

AWARD

Reference is rejected. The demand made by Nagaraj and the first party Union on his behalf for his reinstatement also rejected. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 23rd September 1967.

S. O. 1970.—WHEREAS by State Government Order No. LMA 428 LLD 66, dated 20th September 1966, the Industrial Dispute between the Workmen and the Management of M/s. M. G. S. (Private) Ltd., Nazarbad Road, Mysore was referred to the Labour Court, Bangalore for adjudication ;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. LMA 428 LLD 66.]

By Order and in the name of the Governor of Mysore,

1168 G. G. PUROHIT, *Under Secy.*

NOTIFICATION.

Bangalore, dated 30th September 1967.

S. O. 1971.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Sullia Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (*c*) of the said Section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections, 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District		South Kanara
Name of the Taluk	...	Sullia
Name of the Village	...	Aletty
Name of the Block	...	Aletty Block III
Survey Field No.	...	336/1A
Extent	...	180.75 acres

The boundaries of the block referred to above are :—

North —Starting from the station No. 104, a point situated at the newly constructed cairn No. 93, the demarcation line of the proposed block runs first in North-East direction to station No. 105, at a distance of 275 links. From there it runs in Eastern direction at a distance of 640 links to reach the station No. 107, passing through the intermediate station 106. Thence it runs in North-East direction a distance of 742 links to reach the station No. 109 passing through the intermediate station 108. Thence it runs in almost North-West direction near 'Barkane', at a distance of 902 links to reach the station No. 111, passing through the intermediate station 110. Thence it runs in North-East direction at a distance of 587 links to reach the station No. 113, passing through the intermediate station 112. From there it runs in South-East direction to station No. 114, a distance of 194 links. Thence it runs near 'Yenavara' in North-East direction to station No. 115, at a distance of 470 links. From there it runs in South-East direction a distance of 488 links to reach the station No. 117, passing through the intermediate station 116. Thence it runs in Eastern direction to station No 118, a distance of 450 links. Again it runs in South-East direction a distance of 670 links to reach the station No. 120, passing through the intermediate station 119. Therefrom the line runs in almost North-East direction passing through the intermediate stations 121 to 124 a distance of 1976 links to reach the station No. 2. which is a point situated South-West of a survey stone (Station No. 1) and at a distance of 40 links. From there it runs in almost South-East direction a distance of 1865 links to reach the station No. 7, passing through the intermediate stations 3, 4, 5 and 6. Thence it runs near 'Sarthakody' in South-West direction a distance of 1113 links to reach the station No. 10, passing through the intermediate stations 8 and 9. Again it runs in South-East direction to station No. 11, a distance of 480 links. Thence it runs in Southern direction a distance of 911 links to reach the station No. 14, passing through the intermediate stations 12 and 13. From there it runs

near 'Kundekallu' in almost South-East direction a distance of 1823 links to reach the station No. 19, passing through the intermediate stations 15 to 18. Therefrom the line runs in almost North-East direction a distance of 5793 links to reach the station No. 30. passing through the intermediate stations 20 to 29. From there it runs in North-West direction a distance of 483 links to reach the station No. 32. passing through the intermediate station 31. Again it runs in almost Eastern direction to station No. 33, a distance of 750 links.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
1	2	3	4
104	105	62½	275
105	106	92	200
106	107	90½	340
107	108	64	442
108	109	56	300
109	110	248	512
110	111	236	850
111	112	65	212
112	113	68½	8.5
113	114	160½	794
114	115	56	470
115	116	130½	800
116	117	127	168
117	118	86½	450
118	119	121	815
119	120	130	855
120	121	71½	896
121	122	29	290
122	123	42	4 0
123	124	51	420
124	2	23	410
2	3	107½	615
3	4	128	260

1	2	3	4
4	5	140½	187
5	6	139	365
6	7	118½	438
7	8	217½	450
8	9	218	413
9	10	240½	257
10	11	143½	480
11	12	184	195
12	13	182½	150
13	14	182½	566
14	15	17 ½	565
15	16	167½	455
16	17	115½	204
17	18	129½	443
18	19	133½	156
19	20	64	414
20	21	55	338
21	22	64	296
22	23	53½	402
23	24	74½	320
24	25	65	775
25	26	81	490
26	27	39	506
27	28	64½	425
28	29	71	850
29	30	69	977
30	31	335	153
31	32	330	330
32	33	83	750

East.—Thence the demarcation line runs near 'Elikkala' in almost South-West direction a distance of 3402 links to reach the Station No. 42 passing through the intermediate stations 34 to 41. From there it runs in western direction to station No. 43, a distance of 455 links. Again it runs near 'Gobbalkaje' in almost South West direction a distance of 1136 links to reach the station No. 46, passing through the intermediate stations 44 and 45. From there it runs in almost Western direction to station

No. 47, a distance of 765 links. Thence it runs in almost Southern direction to station No. 48, a distance of 530 links.

Bearings and distances from station to station are as follows:—

Station Numbers From	To	Bearings in F. B.	Distance in links
33	34	194½	380
34	35	188½	227
35	36	249½	320
36	37	234	300
37	38	228	120
38	39	203½	450
39	40	243	425
40	41	249½	640
41	42	221	510
42	43	271½	455
43	44	256½	393
44	45	251½	325
45	46	217½	418
46	47	278	765
47	48	176	530

South.—Thence, the demarcation line runs near 'Gobbakaje' in Western direction to station No. 49, a distance of 618 links. Therefrom the line runs in almost South-West direction a distance of 2110 links to reach the station No. 53, passing through the intermediate stations 49 to 52. From there it runs near Kattakala in almost Western direction a distance of 1758 links to reach the station No. 56, passing through the intermediate stations 54 and 55. Thence it runs near 'Bhootbakallu', in North-West direction to station No. 57 a distance of 410 links. Therefrom the line runs in almost western direction near Bhoottakallu, a distance of 3 12 links to reach the station No. 61, passing through the intermediate stations 58 to 63.

Bearings and distances from station to station are as follows :—

Station Numbers		Bearings	Distances
From	To	in F. B.	In links
48	49	274½	618
49	50	256	383
50	61	253½	400
51	52	245½	757
52	53	230	570
53	54	289	473
54	55	275	687
55	56	276	593
56	57	308½	410
57	58	285½	401
58	59	273	170
59	60	270	225
60	61	261	145
61	62	262	495
61	63	270	437
63	64	278½	610

West.—Thence the demarcation line runs in north-west direction to station No. 65, a distance of 468 links. From there it runs in Eastern direction to station No. 66, a distance of 565 links. Thence it runs in almost North-East direction a distance of 1114 links to reach the station No. 69 passing through the intermediate stations 67 and 68. Therefrom the line runs near 'Harkaje' in almost Eastern direction a distance of 2064 links to reach the station No. 73, passing through the intermediate stations 70 to 72. From there it runs in North-East direction to sation No. 74, a distance of 508 links. Thence it runs in Northern direction to station No. 75, a distance of 345 links. Again it runs in almost Nort-East direction a distance of 783 links to reach the station No. 77, passing through the intermediate station 76. Thence it runs in North-West direction a distance of 315 links to reach the station No. 79, passing through the intermediate station 78. From there

it runs in almost North-East direction a distance of 850 links to reach the station No. 81, passing through the intermediate station 80. Thence it runs in almost Northern direction to station No. 82, a distance of 470 links. Again it runs in almost North-West direction a distance of 957 links to reach the station No. 84, passing through the intermediate station 83. Therefrom the line runs in almost South-West direction a distance of 2210 links to reach the station No. 89, passing through the intermediate stations 85 to 88. Thence it runs in almost North-West direction a distance of 990 links to reach the station No. 91, passing through the intermediate station 90. From there it runs in South-West direction to station No. 92, a distance of 400 links. Again it runs in almost North-West direction a distance of 493 links to reach the station No. 94, passing through the intermediate station 93. Again it runs in South-West direction to station No. 95 a distance of 640 links. From there it runs in South-East direction to station No 96, a distance of 420 links. Thence it runs near 'Harkaje' in almost western direction a distance of 871 links to reach the station No. 98, passing through the intermediate station 97. Thence it runs in Northern direction to station No. 99, a distance of 330 links. Therefrom the line runs in almost North-West direction near 'Kunchadka' a distance of 995 links to reach the station No. 103, passing through the intermediate stations 100 to 102. From there the line finally runs in North East direction a distance of 558 links to reach the station No. 104, which is the starting point.

Bearings and distances from station to station are as follows:—

Station Numbers		Bearings	Distances
From	To	in F. B.	in links
1	2	3	4
64	65	315½	468
65	66	56½	565
66	67	84½	300
67	68	82½	420

1	2	3	4
68	69	66½	354
69	70	100½	770
70	71	103	467
71	72	9[illegible]½	157
72	73	96	670
73	74	28½	508
74	75	½	345
75	76	31	318
76	77	49	465
77	78	317	435
78	79	310	380
79	80	81	438
80	81	70	412
81	82	351	470
82	83	311	324
83	84	299	633
84	85	219	560
85	86	242	629
86	87	200½	661
87	88	217	211
88	89	242	180
89	90	3 3½	530
90	91	315	410
91	92	2[illegible]½	400
92	93	277½	150
93	94	290	343
94	95	214½	640
95	96	165½	430
96	97	261	440
97	98	256	431
98	99	350	330
99	100	333	325
100	101	3 2½	365
101	1 2	30[illegible]½	150
102	103	309½	155
103	104	1[illegible]	358
			Starting point.

Right of ways :—

(i) A foot path from 'Kallembi' enters the block between cairn Nos. 109 and 110 and comes out between

cairn Nos. 77 and 78 only to enter again between cairn Nos. 78 and 79 and to come out between cairn No. 81 and 82 and from there it goes to 'Harkaje'.

(ii) Another foot path from 'Kallembi, enters the block between cairn Nos. 4 and 5 and comes out between cairn Nos. 11 and 12 and which again enters the block between cairn Nos. 15 and 16 and comes out between cairn Nos. 45 and 46 and goes to Gabbalkaje and thereon to 'Bhoothakallu'.

(iii) One more foot path from 'Kunchadka' enters the block between cairn Nos. 57 and 58 and comes out between cairn Nos. 61 and 62 and goes to 'Harkaje'.

(iv) Another foot path from 'Harkaje' enters the block between cairn Nos. 69 and 70 and comes out between cairn Nos. 10 and 11 and goes to 'Kudekallu'.

Other Privileges.—

(*a*) Free grazing of cattle by villagers.

(*b*) Free removal of green manure leaves for *bona fide* use by ryots.

(*c*) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 185 FAF 66.]

By Order and in the name of the Governor of Mysore,

M. A. MECOAI, *Under Secy.*

Public Health, Labour and Municipal Administration Secretariat.

NOTIFICATION.

Bangalore, dated 10th October 1967.

S. O. 1972.—In exercise of the powers conferred by Section 13 of the Mysore Municipalities Act, 1964 (Mysore Act 22 of 1964), the Government of Mysore determine that :—

(i) the number of territorial divisions into which the Chamarajanagar Town Municipal Council shall be divided shall be six;

(ii) the extent of each of the said divisions shall be the area comprised within the limits of the boundaries indicated in Column (2) of the Schedule Annexed to this Notification ;

(iii) the number of seats allotted to each territorial Division from I to V should be 3 and VI shall be 4 ; and

(iv) the number of seats reserved for Scheduled Castes and Women in each Territorial Division shall be as indicated in Columns (4) and (5) respectively of the said Schedule, the draft of the Notification having been previously published as required by Section 13 of the said Act in Notification No. PLM 83 TEL 65 dated 29th April 1966 in Part IV-2 (c) (ii) of the *Mysore Gazette* dated 5th May 1966.

SCHEDULE.

No. of Territorial Divisions	Extent of Territorial Divisions	No. of seats allotted	No. of seats reserved for	
			Scheduled castes	Women
1	2	3	4	5
I.	*North* :—Starting from the Bus Stand area and terminating with palace building Circle on Bazar Street.			...

1	2	3	4	5

South :—Revenue Survey Number to South of N. E. S Quarters upto Gundlupet Toll Gate.

East :—Starting from Palace Building Circle on Bazar Street, running South on Doddasangadi Bee i and Hesanur Ghat upto Municipal Boundary (Right side Houses).

West :—Revenue Survey numbers West to Gundlupet road Toll Gate, Narayana Swamy temple, Chamasagar Tank and fields upto Laxmi Kantha Swami temple.

II. *North* :—Starting from Syndicate Bank runs east along North Agrahar street then goes south to join Thyagaraja road and continues in the said road (Ramasamudra road) upto the Electricity Office.

South :—Starting from behind the Electricity Department compound goes to the Saw Mill and continues to go West upto the rear of the Hospital. From Kadakapur Mohalla road goes to the West along the A K. Colony road upto Rama Mandira. From the eastern border of Kadakapur Extension upto Devanga Street and Southern side of Thimmammanakatte goes West along the A. K. Colony road From the deviation road goes to Satyamangala road and joins the Sharif Circle.

East :—From the Satyamangala junction to the deviation road upto Thimmammanna katte. From the A. K. Colony road at the eastern edge of the Thimmanna katte goes to the Mutton stall road and from the Kadakapur Mohalla road to Rama-Mandira upto the eastern edge of the Hospital Compound.

1	2	3	4	5
	West—Starting from Sharif Circle runs North along the Doddanagadi beedi to Palace Building Circle to join starting point of the Northern Boundary.			
III.	*North*:—Starting from behind the Town Club to the Saw Mill from there it joins the Ramasamudra road and proceeds along the Ramasamudra road upto Balarapatna goes to the East along the Municipal Reading Room from there right upto subedarkatte gate.	3		
	South—Revenue Survey Nos. from the Subedar Katte gate to Basavanagura road to the West in Revenue Survey Nos. upto the rear of the P. W. D. colony goes along behind the Adijambava Colony in revenue survey Nos. upto Karinanjanapura from there it proceeds in Revenue Survey Nos. along the eastern boundary of the Middle School and High School Playgrounds Joins the Hasanur ghate road.			
	East:—Revenue Survey Nos. by the side of the Subedarkatte gate at Ramasamudra.			
	West:—Starting from the Hasanur Ghat road goes north upto Sharif Circle proceeds along Sathyamangala road to deviation road to Thimmaamarnahatte to A. K. Colony road to Mutton stall to Kodakapura Mohalla to Ramamandir and Kondada Mala and goes upto the rear of the Town Club.			
IV.	*North*:—Nanjunda road, Deviation road. North of Parivara extension and survey numbers behind Channipur katte upto Chandakavadi road.	3		
	South—Laxmi Kantha swami temple, Marigudi Janamamantap road, Agrahar street and Rama Samudra road upto Doddaravapet veni.			

1	2	3	4	5
	East :—Revenue Survey numbers, East of Depressed Class Hostel upto Chandakavadi road.			
	West :—Survey numbers behind Bhojargeswari Extension.			
V.	*North* :Sandhe Maraballi Toll Gate and Channigarada Mola Vone.			
	South :—Nanjangud road, deviation road and Srivarakeri Extension.			
	East :—Survey numbers east of Sharkarapura Extension.			
	West :—Revenue Survey numbers to the West of Railway station.			
VI.	*North* :—Chandakavadi Road.			
	South :—A. K. Colony road at Ramasamudra upto Subedarkola.			
	East —Revenue Survey Nnmbers.			
	West :-Chamarajanagar-Ramasamudra road.			
	Total...	19	3	1

[No. PLM 83 TEL 66.]

By Order and in the name of the Governor of Mysore,

1260 K. ABDUL RAHIM KHAN, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th October 1957

S. O. 1973.—In exercise of the powers conferred by sub-clause (1) of Clause 5-A of the Southern States (Regulation of Export of Rice) Order, 1964, the Government of Mysore hereby directs that Check Posts be set up at the places specified in Column (4) of the table below, situated in the taluk and district specified in the corresponding entries in columns (3) and (2) thereof :—

TABLE

Sl. No.	District	Taluk	Place where Check Post is set up
1	2	3	4
1	North Kanara	Karwar	Binge
		Ankola	Belekeri
		Kumta	Tadri
			Holangadde
		Bhatkal	Mavinkurve
		Haleyal	Majali
		Supapeitha	Anmode
2	Mysore	Heggadadevanakote	Bavali
		Gundlupet	Moolehole
			Kakkanahalla
		Chamarajanagar	Punajanur
		Kollegal	Guruvanekondi
			Palar
			Bylur
3	Kolar	Bangarpet	Mathakapalli
			Kempapura
			V. Kota border
			Pattaramagodu
			Kedarinath
			Jodi Krishnarajapura

1	2	3	4
4	Chitradurga	Molakalmur	Siddapura
		Hiriyur	Kandegahalli
		Challakere	Parasuramapura
			Obalapura
		Molakalmur	Molakalmur
			Thammanahalli
5	Coorg	Virajpet	Makuta
			Kutta
			Birunani
			Karike
6	South Kanara	Puttur	Sulepadavu
			Junction of Nidupalli—Panaje Road
			Sullia (near Scheduled Tribes Hostel)
			Berinadavu
			Padka
			Murur
		Mangalore	Talpady
		Kundapur	Gangolli
		Udipi	Hangarkatta
			Malpe
		Mangalore	Naikallu
		Buntwal	Salethur
			Berpadvu
7	Raichur	Raichur	Krishna Road bridge
			Kotedoddi
8	Bidar	Bidar	Bidar
			Manna-ek-halli
		Humnabad	Humnabad
		Bhalki	Hulsur
		Santhpur-Aurad	Kamalnagar
		Bhalki	Bhalki
		Humnabad	Manahalli
9	Bijapur	Indi	Dhalkhed
			Shiradon
		Bijapur	Kanmadi
			Kannur
		Indi	Padnur
			Inchegeri
		Bijapur	Yatbal

1	2	3	4
10	Kolar	Goribidanur	Kudamalakunte
		Gudibanda	Nagaragere
		Bagepalli	Bagepalli
			Pesalaparthi
		Srinivasapura	Gownpalli
			Reyalapad
			Somayajalapalli
		Mulabagal	Hebbani
			Nargli
		Malur	Kasargere
			Sampangere
11	Belgaum	Athani	Madhabavi
			Kagwadi
			Mangauli
		Nipani	Akol
			Gayakwadi Cross
			Mangur
		Hukkeri	Gandinglaj Cross
			Doddi Cross
		Bailhongal	Nesargi
		Belgaum	Uchegaon
		Nippani	Kongonahalli
		Athani	Kidgadi
		Khanapur	Londa Cross
		Athani	Ananthapur
			Fakmari
			Pandegaon
			Jugal
		Hukkeri	Ullegaddi-Khanapur
			Bungatealur
			Naganur
		Chikodi	Bethihal Bridge/Borgaon
			Examba/Kollobi

1	2	3		4
12	Bangalore	Anekal		Attibele
		Kanakapur		Therubid
		Anekal		Samandur Solur
		Kanakapura		Hunasanahalli
		Anekal		Dasanapura Thindlu
13	Tumkur	Sira		Chirathehalli Horagere Honaganahalli
		Pavagada		Rajavanthi Arasikere Virupasandra Dommatamari Kodamadagh Nagalapura
		Madhugiri		Kyathagondanahalli Appenahalli Channchen-halli Muddenahalli
14	Bellary	Bellary		Joladarasi Karekalu Alkundi Yettinahoodikal
		Bellary		Moka
		Siruguppa	(a)	Siruguppa-Vathumruvasi
		Bellary		Marur
	*Siruguppa-Ittigehal	Bellary*		Chakkamandi near Rupanagudi village

1	2	3	4
15	Gulbarga	Revur	Arjungi
		Afzalpur	Mallabad
		Alland	Khajuri Sarasamba Hodlur
		Afzalpur	Mannur Mashal
		Chincholli	Miriyan
		Mudhol	Ribbanhalli Yanagundi
		Yadgir	Nasalvai Gate

[No. FSD 69 EFM 67.]

By Order and in the name of the Governor of Mysore,

1249 R. ANANDAKRISHNA, *Secretary.*

NOTIFICATION.

Bangalore, dated 7th October 1957.

S. O. 1974.—WHEREAS the Government of Mysore is satisfied that there is a public emergency.

NOW, THEREFORE, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of all previous notifications issued in this behalf, the Government of Mysore hereby exempts the various trades and departments of the Aircraft and Aero Engine Divisions of the Hindustan Aeronautics Limited (as indicated in the list attached to this notification) Bangalore, for a period of three months from 10th October 1957 from the provisions of Sections 51, 52, 53, 54 and 56 of the said Act and also from Section 79 of the said Act, to the extent that leave may be refused where necessary in the exigencies of service, except in case of illness, subject to the following conditions :—

(i) No worker shall be required or allowed to work overtime in a factory for more than 48 hours in a quarter;

(ii) No worker who is sick or unwilling shall be required to work over time in the factory;

(iii) The workers deprived of the weekly holidays provided in Section 52 of the Factories Act, shall be allowed compensatory holiday in lieu of such weekly holidays lost, and

(iv) A worker who has applied for leave with wages and has not been given such leave, shall be entitled to carry forward the unavailed leave without any limit.

[No. FCL 110 LFB 67.]

By Order and in the name of the Governor of Mysore,

1237 G. G. PUROHIT, *Under Secy.*

ANNEXURE .

List of Trades—Designs Division

A. Manufacturing Sub-Division (Engine)

1 Highly skilled Technicians
2 Group leaders
3 Mechanics
4 Milling Machine Operator
5 Lathe Operators
6 Planner/Shaper Operators
7 Drill Press Operators
8 Sheet Metal Workers
9 Welders
10 Carpenters
11 Painters
12 Aircraft Painters
13 Electroplaters
14 Heat Treat Operators
15 Tool and Die Makers
16 Fitters
17 Bench Mechanics
18 Blacksmiths
19 Instrument Craftsmen
20 Helpers.

B. Overhaul Shop (Engine)

1 Highly skilled Technicians
2 Group Leaders
3 Mechanics
4 Lathe Operators
5 Sheet Metal Workers
6 Welders
7 Electroplaters
8 Heat Treat Operators
9 Painters
10 Aircraft Painters

C. Assembly and Test (Engine)

1 Highly skilled Technicians
2 Group leaders
3 Mechanics
4 Engine Testers
6 Electricians
6 Test Rig Setter/Operators
7 Helpers

D. Civil/Electrical/Mechanical Maintenance (Engine)

1 Highly skilled Technicians
2 Group leaders
3 Mechanics
4 Painters
5 Plumbers
6 Electricians
7 Fitters
8 Maistries
9 Masons
10 Janitors
11 Scavengers
12 Millwrights
13 Milling Machine Operators
14 Lathe Operators
15 Draftsmen
16 Carpenters
17 Electrical Technicians
18 Wrecker/Bull Dozer Operator
19 Welders
20 Drivers
21 Cable jointers
22 Electrical Rewinders
23 Helpers

List of Traders—Aircraft

A. Manufacturing Sub-Division (Aircraft)

1 Highly skilled Technicians
2 Group leaders
3 Mechanics
4 Milling Machine Operators
5 Lathe Operators
6 Auto-crew Machine Operators
7 Planner and shaper operators
8 Drill Press operators
9 Fitters
10 Spot Welders
11 Layout Men
12 Die Scrapers
13 Punch Press Operators
14 Welder
15 Plastic and Fibre Workers
16 Carpenters
17 Craftsman
18 Painters/Aircraft Painters
19 Electroplaters
20 Heat Treat Operators
21 Sand Blast Operators
22 Stretch Press Operators

B. New Aircraft Assembly Sub-Division

1 Mechanics
2 Electricians
3 Aircraft Painters
4 Group Leaders
5 Aircraft Electors
6 Power Control Rigging and Installation Technicians
7 Cabin Air condition Technicians
8 Jet Engine Set up technician
9 Specialist Power Plant & Fuel System Technicians
10 Airplane Tractor Driver
11 Helpers

C. Central Tool Room

1 Jig Builders and BST
2 Group Leaders
3 Tool and Die Makers
4 Mechanics
5 Bench Mechanics
6 Lathe Operators
7 Milling Machine Operators
8 Planner and Shaper Operators
9 Blacksmiths
10 Projection
11 Expenditors
12 Helpers

D. Prototype Department

1 Field Service Mechanics
2 Aircrafts Structural Mechanics
3 Sheet Metal Workers
4 Aircraft Welders
5 Aircraft Instruments, Radio and Reader Mechanics
6 Aircraft Electricians
7 General Mechanicum Hydraulic A/P System Seat and Safety
8 Millers Turners, Mechanical Assemblers

E. Overhaul Sub-Division

1 Airframe Mechanics (General), Fuel Hydraulics and Rigging Traders)
2 Aircraft Electricians
3 Aircraft Painters
4 Aircraft Structure Mechanics
5 Aircraft Fabric Workers
6 Engine Mechanics
7 Field Service Mechanics
8 Instrument Craftsmen
9 Radio Craftsmen
10 Lathe Operators
11 Milling Machine Operators
12 Radar Mechanics
13 Power Control Rigging and Installation Technician
14 Specialist Aircraft Cabin Conditioning Technician
15 Specialist Pressurised Structure Assembler
16 Jet Pack Set up Technician
17 Specialist Power Plant and Fuel System Technician
18 Specialist Wing Profile Control Technician
19 Balancing Machine Operator
20 Batteryman.

F. Aerodrome

1 Group Leaders
2 Mechanic 'A'
3 Mechanic 'B'
4 Electrician 'B'
5 Carpenter 'B'
6 Mason
7 Aerodrome Operator Gr. I
8 Aerodrome Operator–Gr. II
9 Clerk 'A'
10 Clerk 'B'
11 Aerodrome Traffic Hand
12 Maistry
13 Helper

G. H-24 Assembly Department

1 Structural Technician
2 Hydraulic Technician
3 Aircraft Electrical Technician
4 Radio/Radar Technician
5 Instrument Technician
6 Air Pressurisation Technician
7 Engine Technician
8 Fuel Technician
9 Rigger
10 Painter
11 Carpenter

H. Construction, Maintenance and Plant Design

1 Group Leaders
2 Maistries
3 Masons.
4 Carpenters
5 Painters
6 Plumbers
7 Mechanics
8 Helpers
9 Joiner/Scavengers
10 Millwrights
11 Electricians
12 Fitters
13 Milling/Lathe Operators
14 Welders
15 Drivers
16 Draftsman
17 Cable Jointers
18 Electrician Rewirders
19 Highly Skilled Technicians

Law and Parliamentary Affairs Secretariat

NOTIFICATION.

Bangalore, dated the 9th October 1967.

S. O 1975.—In exercise of the powers conferred by sub-section (1) of Section 57 of the Provincial Insolvency Act, 1920 (Central Act 5 of 1920) as extended by the Provincial Insolvency (Mysore Extension and Amendment) Act, 1962, the Government of Mysore hereby specifies the period of appointment of Sri Suryakantha Rao, B. A., LL.B., Advocate, Bidar, as Official Receiver, Bidar District, to be till the 3rd of October 1968.

[No. LAW 27 LCL 67.]

By Order and in the name of the Governor of Mysore,

1253 H. K. Ananthasubba Rao, *Under Secy.*

HOME SECRETARIAT

NOTIFICATION.

Bangalore, dated 9—10th October 1967.

S. O. 1976.—In pursuance of clause (ii) (b) of Rule 404-A(2) and Clause (d) sub-rule 3 of Rule 404-A of the Bombay Jail Manual as in force in the Bombay area, the Government of Mysore hereby appoint the following members of the Legislature to be the non-official visitors to the Central Prison, Belgaum for a period of one year from the date of appointment :—

1. Shri V. L. Patil, Byakud, Raibag Taluk.
2. Shri A. R. Panchagavi, Gokak.
3. Shri B. M. Sanikop, Itagi, Khanapur Taluk.
4. Shri G. B. Patil (Akkatangerhal) Tilakwadi, Belgaum.

[No. HD 65 PRA 67.]

By Order and in the name of the Governor of Mysore,

42 V. A. GUMASTE, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore dated 9th October 1967.

S. O. 1977.—In exercise of the powers conferred under Sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Sri Mahadeswara College of Arts and Science, Kollegal, to the Mysore University, for teaching the following courses :

(i) Pre-University Course (Arts)

History, Economics, Geography.
History, Economics, Political Science.

(ii) Pre-University Course (Science).

Physics, Chemistry, Mathematics (2 sections of 64 students each)
Physics, Chemistry, Biology (64 students).

(iii) B. A. Degree (1st year).

Economics, Political Science (Majors), History (Minor).

Economics, Kannada (Majors), Geography (Minor).

and extension of affiliation to B. A. Degree course (Second year) with economics. Political Science (Majors), History (Minor) and fresh affiliation to run the following courses :—

(i) Pre-University Course (Commerce).

Economics, Geography, Commerce (with an intake of 64 students).

(ii) B. Sc., Degree (1st year).

Physics, Mathematics (Majors), Chemistry (Minor) Botany, Zoology (Major), Chemistry (Minors)	(with an intake of 32 students for each combination)

for a period one year from June 1967; subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 93 UAC 67.]

By Order and in the name of the Governor of Mysore,

S N. SREENATH,
Under Secretary.

NOTIFICATION.

Bangalore, dated 7—10th October 1967.

S. O. 1978.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the National College of Commerce, Shimoga, to the Mysore University, for teaching first year class of the B Com., Degree Course and extension of affiliation for teaching the Second Year of the B. Com., for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 28 UAC 67.]

By Order and in the name of the Governor of Mysore,

1259 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th October 1967

S. O. 1979.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction continuation of affiliation of the Home Science College, Hubli to the Karnatak University, for teaching (i) Pre-University Home Science and (ii) B. Sc., Part I (Home Science) and extension of affiliation for teaching (i) Pre-University Science and (ii) B. Sc., Part II (Home Science) for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 50 UAC 67.]

By Order and in the name of the Governor of Mysore,

1253 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore dated 5th October 1967.

S. O. 1980.—In exercise of the powers conferred by section of 4 the Madras Forest Act, 1832 (Madras Act V of 1882), as ni forcein the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Bantwal Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as a reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under sections, 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District .... South Kanara.
Name of the Taluk .... Bantwal
Name of the Village .... Maninalkur
Name of the Block ... Maninalkur Block I.
Survey Field No. — 124
Extent — 222.10 acres.

Boundary Description.

North: Starting from the station-No.7, a point situated at the newly constructed cairn No. 8, the demarcation line of the proposed block runs first in South-East

direction a distance of 1273 links to reach the station No. 9, passing through the intermediate station 8. From there it runs in almost Eastern direction a distance of 1191 links to reach the station No. 12, passing through the intermediate stations 10 and 11. Thence it runs in North-East direction a distance of 623 links to reach the station No. 14, passing through the intermediate station 13. Therefrom the line runs in almost Eastern direction a distance of 4554 links to reach the station No. 24, passing through the intermediate stations 15 to 23.

Bearings and distances from station to station are as follows :—

Station From	Numbers To	Bearings in F. B.	Distances in links
7	8	129	617
8	9	132	655
9	10	108	316
10	11	87½	513
11	12	95	350
12	13	55	383
13	14	72½	240
14	15	97	450
15	16	110½	475
16	17	97½	655
17	18	96½	400
18	19	78	636
19	20	91½	345
20	21	109½	526
21	22	76	733
22	29	82	156
23	24	101	280

East.—Thence demarcation line runs in almost Southern direction to station No. 25, a distance of 407 links. From there it runs in South-West direction a distance of 1350 links to reach the station No. 27, passing through the intermediate station 26. From there it runs in almost Western direction to station No. 28, a distance of 545 links. Again it runs in South-West direction a distance of

700 links to reach the station No. 30, passing through the intermediate station 29. From there it runs in South-East direction a distance of 1009 links to reach the station No. 32 passing through the intermediase station 31. Thence it runs in Southern direction to station No. 33, a distance of 455 links. Again it runs in Eastern direction to station No. 34 a distance of 650 links. Thence it runs in North-East direction a distance of 1198 links to reach the station No. 36, passing through the intermediate station 35. Again it runs in Northern direction to station No. 37, a distance of 220 links. Again it runs in South-East direction a distance of 528 links to reach the station No 39, passing through the intermediate station 38. Again it runs in almost Eastern direction a distance of 610 links to reach the station No. 41, passing through the intermediate station 40. Therefrom it runs in almost South-East direction a distance of 1 64 links to reach the station No. 43, passing through the intermediate station 42. Thence it runs in South-West direction to station No 44, a distance of 194 links. From there it runs in North-West direction to station No. 45, a distance of 780 links. From there it runs in almost Southern direction a distance of 1453 links to reach the station No. 48, passing through the intermediate stations 46 and 47. From it runs in North-East direction to station No. 49, a distance of 560 links. Thence it runs in almost South-East direction a distance of 1575 links to reach the station No. 53, passing through the intermediate stations 50 to 52 . From there it runs in almost Western direction a distance of 718 links to reach the station No. 55, passing through the intermediate station 54. Thence it runs in Southern direction to station No. 56, a distance of 523 links Thence it runs in South-East direction to station No, 57, a distance of 635 links. From there it runs in almost Southern direction to station No. 58, a distance of 775 links. Again it runs in South-West direction to station No. 59, a distance of 270 links. Thence it runs in almost Southern direction to station No. 60, a distance of 575 links. Again it runs in South-East direction to station No. 61, a distance of 440 links.

earings d distan from station to station are follows :—

Station From	Numbers To	Bearings in degrees	Distances in links.
1	2	3	4
24	25	172½	407
25	26	251½	330
26	27	249½	1020
27	28	265½	545
28	29	210½	248
29	30	211½	452
30	31	122	567
31	32	114½	443
32	33	175½	455
33	34	90	650
34	35	64½	880
35	36	64½	318
36	37	4	220
37	38	118½	213
38	39	127½	315
39	40	95½	335
40	41	101	305
41	42	127	735
42	43	164	629
43	44	240	194
44	45	314	780
45	46	206	600
46	47	194	378
47	48	176½	480
48	49	72½	561
49	50	119½	523
50	51	146½	207
51	52	151	355
52	53	165	490
53	54	265	260
54	55	263	458
55	56	181	523
56	57	150	665
57	58	168½	775
59	59	230	270
59	60	169	575
60	61	147½	440

South,—Thence the demarcation line runs in almost North-West direction a distance of 917 links to reach the station No. 64, passing through the intermediate stations 62 and 63. From there it runs in Northern direction to station No. 65 a distance of 482 links. From there it runs in South-West direction a distance of 525 links to reach the station No. 67, passing through the intermediate station 66. Again it runs in almost North-West direction a distance of 564 links to reach the station No. 70, passing through the intermediate stations 68 and 69. From there it runs in almost North-East direction a distance of 602 links to reach the station No. 72, passing through the intermediate station 71. Therefrom the line runs in almost North-West direction a distance of 2190 links to reach the station No. 75, passing through the intermediate stations 73 and 74. From there it runs in South West direction a distance of 694 links to reach the station No. 77, passing through the intermediate station 76. From there it runs in North-West direction a distance of 923 links to reach the station No. 79, passing through the intermediate station 78. Thence it runs in Western direction to station No. 80, a distance of 435 links.

Bearings and distances from station are as follows :—

1	2	3	4
61	62	292	560
62	63	217½	195
63	64	340½	162
64	65	352	482
65	66	2 4	310
66	67	219½	185
67	68	286½	246
68	69	29 ½	150
69	70	318½	168
70	71	41	252
71	72	5-½	350
72	73	343½	550
73	74	315	860
74	75	290	750
75	76	208	565
76	77	196½	129
77	78	286½	163
78	79	295	760
79	80	277	435

West.—Thence the demarcation line runs in Northern Direction a distance of 727 links to reach the station No. 82, passing through the intermediate station No. 81. From there it runs in almost North-West direction a distance of 907 links to reach the station No. 85, passing through the intermediate stations 83 and 84 From there it runs in Western direction to station No 86, a distance of 637 links. Again it runs in almost North-West direction a distance of 2360 links to reach the station No. 0, passing through the intermediate stations 87 to 89. Again it runs in Northern direction to station No, 1, a distance of 1015 links. From there it runs in North-West direction to station No. 2, a distance of 770 links. Therefrom it runs in almost Western direction a distance of 1661 links to reach the station No. 4, passing through the intermediate station No. 3. From there it runs in North-West direction a distance of 1315 links to reach the station No. 6, passing through the intermediate station No. 5. Finally the line runs in almost Northern direction a distance of 418 links to reach the station No. 7, which is the starting point.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees	Distances in links.
80	81	5	193
81	82	19	537
82	83	32 ½	302
83	84	318½	310
84	85	302	295
85	86	278	637
86	87	38	330
87	88	316	700
88	89	330	850
89	0	330	480
0	1	½	1015
	2	299½	770
2	3	266½	1102
3	4	266½	562
4	5	323	715
5	6	323	570
6	7	341½	418
		—Starting point.	

Enclosure

North:—Starting from the station No. 3, a point situated at the cairn No. 3 of the enclosure, the demarcation line of the Enclosure runs in almost North-East direction in the following bearings a distance of 2337 links to reach the station No. 8 passing through the intermediate stations 4 to 7.

Station Numbers From	To	Bearings in degrees	Distances in links.
3	4	79	366
4	5	71	676
5	6	25½	274
6	7	62½	700
7	8	81½	321

East:—Thence the demarcation line of the 'Enclosure' runs in almost Southern direction in the following bearings a distance of 1610 links to reach the station No. 10, passing through the intermediate station 9.

Station Numbers From	To	Bearings in degrees.	Distances in links.
8	9	170	739
9	10	178	871

South:—Thence the demarcation line of the 'Enclosure' runs in almost Western direction in the following bearings a distance of 2246 links, passing through the intermediate stations 11 and 12 to reach the station No. 1, which is a point situated North-East of station No. 82 (*i.e.* cairn No. 83) and at a distance of 348 links.

Station Numbers From	To	Bearings in degrees	Distances in links.
10	11	246	1030
11	12	269½	603
12	1	288	713

West:—Thence the demarcation line of the Enclosure finally runs in almost Northern direction in the following bearings & distance of 891 links passing through the intermediate station 2 to reach the station No. 3, which is the starting point of the Enclosure.

Station Numbers From	To	Bearings in degrees	Distances in links.
1	3	359	177
2	3	352	714
		Starting point of the Enclosure	

Right of ways.—

(i) A panchayat road from Sarpady enters the block between cairn Nos. 90 and 1 and comes out between cairn Nos. 22 and 23 and goes to Bentwal.

Other privileges.—

(1) Free grazing of cattle by villagers.

(2) Free removal of green manure leaves for *bona fide* use by royots.

(3) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 176 FAF 66.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI *Under Secy.*

NOTIFICATION

Bangalore, dated 30th September 1967.

S. O. 1981.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as a reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore, to be the Forest Settlement Officer for purposes of clause (c) of the said Section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara.
Name of the Taluk	...	Puttur
Name of the Block	...	'Bainad Block I' Bit I and II
Name of the Village	...	Bainad Village
Survey field Number	...	281/1
Extent	...	137.50 acres.

Boundary Description.

'Bit I'

North:—Starting from the station No. 21 a point situated at the newly constructed cairn No. 23, the demarcation line of the proposed block runs in almost North-East

direction a distance of 1737 links to reach the station No. 28, passing through the intermediate stations 22 to 27. Thence it runs in almost South-West direction a distance of 464 links to reach the station No. 30, passing through the intermediate station 29. From there it runs in Southern direction to station No. 31, a distance of 130 links. From there it runs in South-East direction to station No. 32, a distance of 440 links. Therefrom the line runs near 'Nallyadka' in a most North East direction a distance of 2367 links to reach the station No. 41, passing through the intermediate stations 33 to 40 Thence it runs in Southern direction to station No. 42, a distance of 258 links. From there it runs in Eastern direction to station No. 43, a distance of 208 links. Again it runs in North-East direction to station No. 44, a distance of 290 links. From there it runs in Eastern direction to station No. 45, a distance of 196 links. Thence it runs in South-East direction a distance of 549 links to reach the station No. 47, passing through the intermediate station 46.

Bearings and distances from station to station are as follows:—

Station Numbers From	To	Bearings in F.R	Distances in links
1	2	3	4
21	22	30	290
22	23	65	250
23	24	88	265
24	25	81	340
25	26	70½	140
26	27	61½	308
27	28	85	144
28	29	19½	224
29	30	207	240
30	31	180	130
31	32	14.½	440
32	33	42½	274
33	34	29	364
34	35	28	282
35	36	14	160
36	37	10	300
37	38	97½	214

1	2	3	4
38	39	69	180
39	40	72⅛	248
40	41	81	3 6
41	42	181	2:8
42	43	97	208
43	44	31⅛	290
44	45	91½	196
45	46	144	164
46	47	133	2-5

East :—Thence the demarcation line runs first in almost Southern direction to station No. 0, a distance of 193 links. From there it runs in almost South-West direction a distance of 597 links to reach the station No. 3, passing through the intermediate stations 1 and 2. Thence it runs in North-West direction to station No. 4, a distance of 25 links. From there it runs in almost South-West direction a distance of 420 links to reach the station No. 6, passing through the intermediate station 5. Again it runs in almost North-West direction a distance of 578 links to reach the station No. 8, passing through the intermediate station 7 from there, it runs in Soth-West direction to station No. 9, a distance of 274 links. Again it runs in South-East direction to station No. 10, a distance of 421 links. Therefrom the line runs in almost South-West direction a distance of 1262 links to reach the station No. 14 passing through the intermediate stations 11 to 13.

Bearings and distances from station to station are as follows:—

1	2	3	4
47	0	176⅛	1:3
0	1	2 4	237
1	2	217	168
2	3	2 2	193
3	4	325⅛	2.5
4	5	259½	1-0
5	6	2.6	240
6	7	286½	206
7	8	2-8½	372
8	9	244	274
9	10	159	421
10	11	219¼	224
11	12	227⅛	354
12	13	134	1 8
13	14	196	48-)

South:—Thence the demarcation line runs in almost Western direction a distance of 983 links to reach the station No. 16, passing through the intermediate station 15.

Bearings and distance from station to station are as follows:—

1	2	3	4
14	15	278	605
15	16	250½	378

West:—Thence the boundary line runs in almost North-West direction a distance of 1296 links to reach the station No. 21 which is the starting point, passing through the intermediate stations 17 to 20.

Bearings and distances from station to station are as follows:

1	2	3	4
16	17	314	229
17	18	311	223
18	19	306	243
19	20	311	238
20	21	32 ½	315

'Bit II'

North:—Starting from the station No. 0, a point situated North-East of station No. 0 of the bit I and at a distance of 618 links, the demarcation line runs in North-East direction to station No. 1 a distance of 169 links. Then it runs in Eastern direction to station No. 2, a distance of 172 links. From there it runs in almost South-East direction a distance of 1767 links to reach the station No. 8, passing through the intermediate stations 3 to 7, From there it runs in South-West direction a distance of 699 links to reach the station No. 10, passing through the intermediate station 9. Thence it runs almost South-East direction a distance of 672 links to reach the station No. 12,

passing through the intermediate station 11. Thence it runs in North-East direction to station No. 13, a distance of 325 links. Again it runs in almost Northern direction to station No 14, a distance of 227 links. Therefrom the line runs in almost North-East direction a distance of 1988 links to reach the station No. 20 passing through the intermediate stations 15 to 19. Thence it runs in North-West direction a distance of 692 links to reach the station No. 22, passing through the intermediate station 21. From there it runs in almost Northen direction a distance of 724 links to reach the station No. 24, passing through the intermediate station 23. Thence it runs in North-East direction to station No. 25, a distance of 216 links. Therefrom the line runs in almost Eastern direction a distance of 544 links to reach the station No. 28, passing through the intermediate stations 26 and 27. Thence it runs in South-East direction to station No. 29 a distance of 150 links. From there it runs in almost Southern direction a distance of 652 links to reach the station No. 32, passing through the intermediate stations 30 and 31. From there it runs in almost North-East direction a distance of 728 links to reach the station No. 35, passing through the intermediate stations 33 and 34. Thence forth it runs in almost South-East direction a distance of 741 links to reach the station No. 39, passing through the intermediate stations 36 to 38. From there the line runs in almost South-West direction a distance of 1443 links to reach the station No. 42, passing through the intermediate stations 40 and 41. Again it runs in South-East direction a distance of 548 links to reach the station No. 44, passing through the intermediate station 43. Thence it runs in Eastern direction to station No. 45, a distance of 322 links. Thence it runs in almost North-East direction a distance of 1883 links to reach the station No. 52, passing through the intermediate stations 46 to 51. From there it runs in Northern direction to station No. 53, a distance of 710 links. Therefrom the line runs in almost North-East direction a distance of 1635 links to reach the station No. 56 passing through the intermediate stations 54 and 5. Thence it runs in almost Northern direction to

station No. 57, a distance of 524 links. From there it runs in Eastern direction a distance of 890 links to reach the station No. 59, passing through the intermediate station 58.

Bearings and distance from station to station are as follows:—

Station From	Number To	Bearings in F.B.	Distances in links
1	2	3	4
0	1	43½	169
1	2	93	172
2	3	141½	165
3	4	167½	220
4	5	151	215
5	6	96	454
6	7	109½	376
7	8	135	337
8	9	200½	220
9	10	196	279
10	11	165	380
11	12	121	292
12	13	37	325
13	14	343	227
14	15	17	460
15	16	35	100
16	17	20	178
17	18	38	515
18	19	48½	250
19	20	12½	485
20	21	287½	370
21	22	287	322
22	23	348	516
23	24	354½	208
24	25	22	216
25	26	83	170
26	27	87	260
27	28	82	114
28	29	131	156
29	30	190½	190
30	31	175½	290
31	32	165½	172
32	33	70½	320

1	2	3	4
33	34	4½	120
34	35	10½	288
35	36	105	148
36	37	102½	130
37	38	135½	213
38	39	130½	250
39	40	195	216
40	41	217½	567
41	42	224	660
42	43	126	300
43	44	134	248
44	45	81½	322
45	46	29	320
46	47	41	411
47	48	54	215
48	49	18	180
49	50	42	300
50	51	47	185
51	52	32	272
52	53	10	710
53	54	321	475
54	55	324	793
55	56	338	367
56	57	6½	524
57	58	89	490
58	59	84	400

East.—Thence the demarcation line runs in almost South-East direction a distance of 1303 links to reach the station No. 63, passing through the intermediate stations 60 to 62. From there it runs in western direction a distance of 705 links to reach the station No. 65 passing through the intermediate station 64. From there it runs in South-West direction to station No. 66, a distance of 595 links. Thence it runs in almost South-East direction a distance of 1127 links to reach the station No. 70, passing through the intermediate stations 67 to 69. Again it runs in South-West direction a distance of 1448 links to reach the station No. 72, passing through the intermediate station 71. Therefrom it runs in South-East direction a distance of 1668 links to reach the station No. 75, passing through the intermediate stations 73 and 74.

Bearings and distances from station to station are as follows:—

1	2	3	4
59	60	135	445
60	61	124½	293
61	62	129	325
62	63	163	240
63	64	272	236
64	65	277½	469
65	66	254	595
66	67	139½	466
67	68	131½	115
68	69	130½	218
69	70	103½	328
70	71	211	518
71	72	201½	930
72	73	112	488
73	74	140	500
74	75	124	680

South.—Thence the demarcation line runs in South-West direction a distance of 740 links to reach the station No. 77 passing through the intermediate station 76. From-there it runs in Western direction to station No. 78, a distance of 220 links. Thence it runs in North-West direction a distance of 587 links to reach the station No. 79. Again it runs in South-West direction to station No. 80, a distance of 315 links. Thence it runs in westren direction a distance of 915 links to reach station No. 82, passing through the intermediate station 81. Again it runs in North-West direction a distance of 925 links to reach the station No. 84, passing through the intermediate station 83 Therefrom the line runs in almost South-West direction near 'Saja Byle' a distance 4416 links to reach the station No. 96, passing through the intermediate stations 85 to 95.

1	2	3	4
75	76	227½	240
76	77	235	500
77	78	266½	220
78	79	288½	587
79	80	226½	315
80	81	268	720
81	82	261	195
82	83	296½	620
83	84	302	305
84	85	187	300
85	86	189	285
86	87	216½	530
87	88	194½	490
88	89	212½	530
89	90	177½	415
90	91	196½	733
91	92	189	300
92	93	203½	163
93	94	213	300
94	95	210	200
95	96	230	170

West.—Thence the demarcation line runs in North-West direction a distance of 1219 links to reach the station No. 100, passing through the intermediate stations 97 to 99. From-there it runs in North-East direction a distance of 407 links to reach the station No. 102, passing through the intermediate station 101. Thence it runs in almost Eastern direction to station No. 103, a distance of 490 links. Therefrom the line runs in almost Northern direction a distance of 1161 links to reach the station No. 107, passing through the intermediate stations 104 to 106. Therefrom it runs in almost North-West direction a distance of 2299 links to reach the station No. 116, passing through the intermediate stations 108 to 115. From there the line finally runs in Nothern direction a distance of 527 links to reach the station 0, which is the starting point, passing through the intermediate station 117:

Bearings and distances from station to station are as follows:—

1	2	3	4
96	97	302	356
97	98	316	263
98	99	325	455
99	100	325	145
100	101	44½	256
101	102	47	151
102	103	79	490
103	104	21½	334
104	105	3½	184
105	106	3½	395
106	107	354	248
107	108	330	247
108	109	327	360
109	110	314	243
110	111	331	433
111	112	327½	175
112	113	329	270
113	114	301½	223
114	115	273	192
115	116	316	155
116	117	358	345
117	0	355½	182

Starting points.

Other Privileges.—

(a) Free grazing of cattle by villagers.

(b) Free removal of green manure leaves for *bona fide* use by ryots.

(c) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 173 FAF 66.

By Order and in the name of the Governor of Mysore,

M. A. Mecgai, *Under Secy.*

NOTIFICATION.

Bangalore, dated 5th October 1967.

S.O.1982.—In exercise of the powers conferred by section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declare that it is proposed to constitute the lands in the Belthangady Taluk of South Kanara District, the situation and limits of which are specified in the schedule herato annexed, as reserved forests ;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section ; and

(iii) appoints the Divisional Forest officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara.
Name of the Taluk	...	Belthangady
Name of the Village	...	Laila
Name of the Block	...	Laila Block (U)
Survey Field No.	...	168 1
Extent	..	122.40 acres

Boundary Description

North :—Starting from station No, 45 (Newly constructed cairn No. 44) the demarcation line of the proposed block runs first in South-East direction to station No 46 a distance of 200 link. From there it runs in almost North-East direction a distance of 1419 links to reach the station No 53 passing through the intermediate stations 47 to 52. Thence it runs in almost South-East direction a distance of 593 links to

reach the station No. 55 passing through the intermediate station No. 54. Again it runs in South-West direction to station No. 56 a distance of 173 links. Again it runs in North-West direction to station No. 57 a distance of 222 links. Therefrom it runs in almost South-East direction a distance of 1114 links to reach the station No. 60 passing through the intermediate stations 58 and 59. From there it runs in North-East direction to station No. 61 a distance of 264 links. Therefrom it runs in almost Eastern direction a distance of 527 links to reach the station No. 63 passing through the intermediate station No. 62. Then the line runs in almost South-East direction a distance of 1132 links to reach the station No O passing through the intermediate stations 64 to 67. Bearings and distance from station to stations are as follows.—

Station Numbers From	To	Bearings in F.B.	Distances in links
45	46	114½	200
46	47	69	200
47	48	83	133
48	49	83	176
49	50	67½	187
50	51	67½	190
51	52	50	333
52	53	65	200
53	54	121	320
54	55	154½	273
55	56	248½	173
56	57	301½	222
57	58	169½	412
58	59	155	350
59	60	130½	352
60	61	50	264
61	62	89	227
62	63	78	300
63	64	114	306
64	65	103½	230
65	66	103½	200
66	67	101½	167
67	0	129	229

East.—Thence the boundary line runs in South-West direction a distance of 934 links to reach the station No. 3 passing through intermediate stations 1 and 2. From there it runs in almost Southern direction a distance of 721 links to reach the station No. 6 passing through intermediate station Nos. 4 and 5. Therefrom the line runs in

almost South-West direction a distance of 1603 links to reach the station No. 11 passing through intermediate stations 7 to 10. Again it runs in Southern direction to station No. 12 a distance of 200 links. Thence it runs in almost South-West direction a distance of 725 links to reach the station No. 14 passing through intermediate station 13.

Bearings and distances from station to station are as follows.—

Station From	Number To	Bearings in F.B.	Distances in links
0	1	209	450
1	2	209	310
2	3	202	174
3	4	187½	150
4	5	185½	366
5	6	197½	205
6	7	256½	400
7	8	251	312
8	9	207	415
9	10	195	412
10	11	240	264
11	12	175	200
12	13	188½	395
13	14	210	330

South.—Thence the boundary line runs in North-East direction a distance of 714 links to reach the station No. 16 passing through intermediate station No. 15. From there it runs in Northern direction to station No. 17 a distance of 190 links. From there it runs in Western direction to station No. 18 a distance of 222 links. Again it runs in North-West direction a distance of 591 links, to reach the station No. 20 passing through intermediate station 19. From there it runs in Western direction to station No. 21 a distance of 183 links. From there it runs in almost South-West direction a distance of 563 links to reach the station No. 23 passing through intermediate station No. 22 From there it runs in almost Western direction a distance of 731 links to reach the station No. 25 passing through intermediate station No. 24. From there the line runs in almost South-West direction a distance of 698 links to reach the station No. 27 passing intermediate station No. 26.

Bearings and distances from station are as follows :—

Station From	Numbers To	Bearings in F. B.	Distances links
14	15	318½	370
15	16	325	344
16	17	2½	190
17	18	277½	222
18	19	308	244
19	20	303	347
20	21	275	183
21	22	252	233
22,	23	2·8	330
23	24	285	250
24	25	265½	481
25	26	226⅓	383
26	27	214½	315

West—Thence the demarcation line runs in North-West direction to station No. 28 a distance of 284 links. From there it runs in North-East direction a distance of 556 links to reach the station No. 30, passing through intermediate station 29 From there it runs in Northern direction to station No. 31 a distance of 512 links. Where from the line runs in almost North-East direction a distance of 866 links to reach the station No. 34 passing through intermediate stations 32, and 33. From there it runs in almost Northern direction a distance of 787 links to reach the station No. 37 passing through intermediate station Nos. 35 and 36. Again in runs in North-East direction a distance of 516 links to reach the station No. 39 passing through intermediate station No. 38. Again it runs in Northern direction to station No. 40 a distance of 270 links. From there it runs in North-East direction to station No. 41 a distance of 300 links. Finally the line runs in almost Northern direction a distance of 747 links to reach the station No. 45 (which is a starting point) passing through intermediate stations 42 to 44.

Bearing and distances from station to station are as follows:—

Stations From	Stations To	Bearings in F. B.	Distances in links
27	28	S40	28½
28	29	54½	306
29	30	60½	240
30	31	S56½	612
31	32	13½	315
32	33	29	271
33	34	23½	220
34	35	S56½	309
35	36	S51½	197
36	37	S70½	300
37	38	31½	191
38	39	31½	325
39	40	2½	270
40	41	67	300
41	42	7½	173
42	43	11½	180
43	44	15½	214
44	45	8½	150

Other Rights :—

(1) Free grazing of cattle by villagers.

(2) Free removal of green leaves *for bona fide* use of the village.

(3) Free removal of dry fuel for *bona fide* use of villagers.

[No. AFD 66 FAF 7]

By Order and in the name of the Governor of Mysore,

1242 M. A. MECOAL, *Under Secretary*.

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT.
(Labour)

Labour Dispute :—Industrial Dispute between the workmen and the management of Remington Rand of India, Ltd. Bangalore Branch office, 25 and 25A, Mahatma Gandhi Road, Bangalore-1.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers :—

1. Letter No. I.T. No. 1050-1/67 68, dated 23rd September 1967 from Sri A. Panchaksharaiah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 21st September 1967.

Present

Sri A. Panchaksharaiah, B.A. (Hons.) LL. B., ... *Presiding Officer.*

I. D. No. 4 of 1966.

Workmen of M/s. Remington Rand of India, Ltd Bangalore Branch Office, 25 and 25A. Mahatma Gandhi Road, Bangalore-1 ... ... *I Party*

Vs

Management of M/s. Remington Rand of India, Ltd, Bangalore Branch Office, 25 and 25A. Mahatma Gandhi Road, Bangalore-1 ... ... *II Party.*

Appearances.

Sri M. C. Narasimhan, Advocate, Bangalore .. *For the I Party*
Sri S. S. Nathan, Administrative Officer, Remington Rand, of India, Ltd., Madras ... *For the II Party.*

Reference.

G. O. No. LMA 697 LLD 65, Bangalore, dated 3rd February 1966.

AWARD

The Workmen employed in M/s. Remington Rand of India, Ltd., Bangalore Branch represented by the Secretary, Remington Rand Employees' Union, Madras, submitted charter of demands on 11th September 1965 to the management of M/s. Remington Rand of India Ltd., Bangalore Branch. Among several other demands three demands which are the subject matter of this dispute, came up before the Conciliation Officer, Bangalore Division. As the parties did not come to any settlement, a failure report was submitted to the Government and the Government of Mysore in their Order No. LMA 637 LLD 65, dated 3rd February 1966, referred these disputes under Section 10 (1) (d) of the Industrial Disptues Act, 1947, to this tribunal for adjudication.

2. The first of these demands is in connection with the Lunch Allowance of Re. 1 per day claimed by the workmen of the Bangalore Branch. Demand No. 2 is regarding reimbursement of the medical expenses incurred by the workmen and their families while sick and the 3rd demand is in relation to enhancement of Batta at the rate of Rs. 10 Rs. 12 50 and Rs. 15 for those drawing a salary of less than Rs. 100, between 101 and 150, and 151 and above respectively. This dispute was registered as I.D: No. 4 of 1966 and Notices were taken out to both the parties to file their pleadings.

3. The I Party represented by the Secretary, filed a claim statement on 22nd February 1966. Justifying the claims for these demands the I Party workmen contend that at a meeting of the workmen held on 31st August 1965 certain demands were formulated and these were submitted to the II Party Management on 11th September 1965. The Union had discussions with the management about these demands, but the management was unable to come to any understanding about these demands. The I Party workmen contend that the Remington Rand Company is a subsidiary of M/s. Sperry Rand Corporation, New York. The Indian Company was established with a rupee capital invested on 1st April 1952 with rights to manufacture the Remington Standard Office Typewriters and to market the Remington Rand business equipment. The Company is a well-reputed firm having as many as 45 Branches all over India. The factory for manufacture of typewriters is situated at Calcutta. Apart from

manufacturing and selling typewriters, the company also manufactures other Office equipments like Duplicators, Filing cabinets, Kardex cabinets, Card index cabinets, Open Filing systems, Ribbons, Corbons etc. Apart from selling these items the company also undertakes maintainance and repairs, overnauling and servicing of the goods sold by the company in addition to rebuilding of second hand typewriters. It has Sevice Contracts with several commercial concerns and Government all over the Country. It is the largest concern in India manufacturing and selling various models of typewriters in several languages and enjoys a unique position in the trade of typewriters. It is a distinctive and special position in the industry and has attained in its business a position of a semi monpolist and there are no industrial concerns which are comparable to this Company. No other manufacturer manufactures typewriters in such a large scale or has built the name and reputation for its products as this Company has done. The demands submitted by the Union to the Company cover all the workmen working in the Regional Office at Madras and the Branches controlled by the Madras Regional Office, including Bangalore. In Bangalore, there are only 15 employees of this Company out of whom 9 are Mechanics and the rest are Clerical Staff. Although the Company has been in such a prosperous state and has been paying fabulous amounts to its executives, the wages paid to its workers have been rediculously low.

4. Justifying the claim for Lunch Allowance, the I Party workmen contend that at the present movement, the Company pays Lunch Allowance to only those workmen who are deputed on Company's work outside the limits and who are not able to return to the Company during the Lunch recess for lunch. Such workers are paid 0 75 paise as Lunch Allowance. The demand of the Union is that all workmen including those who are working in the Office should be paid the Lunch Allowance of Re. 1 per day. The Union submits that the Company has been paying at Calcutta to all its workmen including those working inside the Office, lunch allowance of Re. 1 per day. The rate hitherto was 0.50 paise per day per worker but the same has been enhanced to Re. 1 under an agreement dated 13th January 1965. The I Party workmen contend that in the matter of payment of Lunch Allowance it is not open to the Company to discriminate between one set of workmen and another. The Union therefore prays that this amenity of Lunch Allowance be extended to all

workmen working in the Bangalore Office on the same terms applicable to workmen at Calcutta Office of the Company.

5. Coming to the demand No. 2, the I Party workmen contend that at present the Company reimburses the medical bills pertaining to the Officers of the company and members of their family. By an agreement dated 29th May 1962 a Scheme affording medical benefits has been introduced by the company to its Calcutta office employees. By the Scheme the employees are granted reimbursement of medical expenses when they fall sick. So far as the E. S. I. Scheme is concerned, it is not applicable to the employees of the Bangalore Branch. The Union has demanded the medical benefits to be made available to the members of the family when they fall sick. So far as the financial capacity of the concern to meet this demand is concerned, the I Party workmen contend that there is no doubt whatsoever that the Company possesses the required financial capacity and it can afford to meet these demands. This Medical benefit was in fact discussed at the time of direct negotiations with the company but the parties did not come to any agreement. The Union therefore prays for grant of this demand to provide hospitalisation of the workmen and their families at the Company's expenses while sick, Reimbursement of consultation expenses and expenses incurred towards medicines etc., on production of necessary bills.

6. Demand No. 8 relates to the claim of Batta at the rate of Rs. 10, Rs. 12.50 and Rs. 15 for persons drawing less than Rs. 100 Rs. 150 and 151 and above respectively. I do not wish to say much about this because it has been agreed both by Sri Narasimhan who represented the Union and Sri Nathan who represented the II Party, that the Batta may be enhanced in case of basic pay of Rs. 85 up to Rs. 6.50 for basic pay of Rs. 250 up to Rs. 8 and basic pay of over Rs. 250 at Rs. 10. The only difference between Sri Nathan and Sri Narasimhan was with regard to the date from which effect should be given to these rates. In the claim statement the Union has requested for revision of Batta with retrospective effect from the date of the demand. The demand of demand is 11th September 1965. whereas Sri Nathan contended that it would work great hardship on the company if it is granted with retrospective effect *i.e.*, from the date of the demand.

7. In the course of the counter statement, the II Party Company admits in para 8 as follows :—

> "But for the declining profitability of the Company, the Company would have extended the above revised rates in the case of Bangalore Branch employees also to have uniformity and promote industrial peace."

The Campany has no dcubt, realised that there should be uniformity of the service conditions between its employees in order to promcte industrial peace and if that is so it is hard to understand how it is open to the company to maintain different service conditions in different places or different amenities to its employees at different places. That this Company is not having any declining profits is very clear from some of the exhibits which I am referring now. Ex. W16 is a statement showing the sales effected, profit earned and reserves kept back for the years commencing from 1955-56 to 1963.64 A perusal of this statement will clearly indicate that the Company's sales and the business have doubled themselves and the profits have also doubled and the reserves are almost tribbled. Ex. W 17 is a Circular sent by K. S. Narayan, Regional Manager, Madras Region, on 19th November 1964. It is as follows :—

> "Subject:—Capital issued by Remington Rand of India Ltd. I have great pleasure in enclosing herewith a Cyclo-styled copy of a new item on the above subject which appeared in the Economic Times on Wednesday November 18th 1964. I want to digest the contents of this news item and inform our customers of our expansion programme and Indian participation the capital structure we are going to have shortly etc."

The news item which had appeared in the Economic Times, Bombay, dated 18th November 1964 gives the following information.

> "A faced programme for the manufacture of these typewriters was launched and the Indian manufacture content was negligible and a major number of more than 1700 components which make a typewriter had to be imported. The initial installed capacity of the Company's factory was 15 Typewriters per annum. It was due to the technical collaboration of Sperry Rand Corporation, the Indian manufacture pontent of the

typewriter increased to 93.5 per cent and the capacity of the Company's factory reached 25,000 typewriters per annum. The Company's sales turn over also increased from 1.11 crores in 1952-53 to 3.91 crores in 1963-64".

Ex. W 18 also helps us in this matter. Ex. W 19 is a circular issued to all the members of the staff of the Madras Region by the Regional Manager congratulating himself and the staff on the wonderful performance done by them in 1964-65. The company has also congratulated Mr. K. S. Narayan by its telegram which reads as follows :—

"Narayan, please accept my strong congratulations for your fine achievement during March and I ask that you continue them into April and May STOP Your April sales budget is 3 lakhs, collection 5.5 lakhs Expect you to equal or exceed these figures".

Obrien

One of the Director."

From these documents therefore it is abundantly clear that the Company was not at all having any declining profits, but on the contrary it was having roaring profits and the statement made by the company in para 8 of the counter statement is not quite correct. However, since both the parties agree for the revision of the rates of Batta at the rates mentioned above, there will be an award in this behalf accordingly.

8. Regarding item No. 3, workmen drawing up to Rs. 85 as basic pay, will be entitled to Rs. 6.50 per day as batta. Regarding those drawing up to Rs. 250 above Rs 85 they will be entitled to Rs. 8 per day as Batta. So far as those who draw a salary of Rs. 250 and above, they will be entitled to Rs. 10 per day as batta. After all, this will not give a fly bite to the Company's profits because, of the 15 employees in Bangalore branch only 9 of them are Mechanics and it is only the Mechanics that are sent out on tour. The clerical staff will not be generally sent out on tour. However each of the employees at Bangalore will be entitled to the rate of batta as indicated above with effect from 11th September 1965 which is the date of demand in this case. To this effect there will be an award regarding point of dispute No. 3.

8. I now take up issue No 1 for consideration *i.e.*, Lunch allowance and reimbursement of medical expenses incurred by the workmen. It is convenient to deal with both the points together because both the benefits are available to the workmen employed in the Calcutta Region. So far as the lunch Allowance is concerned, this benefit is available to the Delhi workers also. In this behalf the Union contends that at present the company pays lunch allowance to only those workmen who are deputed on company's work outside the City Limits and who are not able to return to the company during lunch recess for lunch. Such workers are paid 0.75 paise as lunch allowance. The demand of the Union in this behalf is two fold. The first is that this lunch allowance should be raised to Re. 1 per day and the second is that of all the workers working at Bangalore should be paid this lunch allowance. The Union contends that the company has been paying at Calcutta to all its workmen including those working inside the Office, a lunch allowance of Rs. 0.50 paise per day and it has now been raised to Re. 1 per day with effect from 13th January 1965 and this is evidenced by an agreement Ex. W1. Regarding Issue No. 2 which deals with Medical aid, the Union submits that at present the company reimburses the medical bills pertaining to the Officers of the Company and members of their families. In the Calcutta Office of the Company by an agreement dated 29th May 1962 a scheme affording medical benefits has been introduced and by such a scheme the employees are granted reimbursement of medical expenses when they fall sick. In Bangalore the E S.I. Scheme is not applicable to the employees. The Union submits that while the highly paid employees of the company are afforded this facility, it is unjust to refuse the same to the Clerks, Mechanics and peons working in the Bangalore Branch of the Company. So far as financial capacity to meet this demands is concerned, the company has ample funds and perhaps more than the required funds. The contention of the company is that any wage scale fixed contains an element of expenditure for the mid-day meal or lunch and therefore a demand for a separate lunch allowance is not justifiable. This facility viz, lunch allowance is not available to any of the branches of the company which is an All India concern having 30 offices throughout the country, except in the Calcutta Office. Any introduction of such a lunch allowance in other branches would introduce industrial unrest.

9. Regarding Medical benefits. the Company submits that there is no scheme for medical facilities for the employees of the

Company for the Madras Region under whose jurisdiction the branch establishment of Bangalore falls. The medical facilities are not available to the employees in any of the branches of the Company in India, except Calcutta where it has come into force by way of a consent award having regard to regional considerations. In this connection the Union has examined two witnesses, W. W. 1 K. Prameshwar and W W 2 Shankaran The Company has examined one witness Prabhakar the Branch Manager at Bangalore. The evidence of this Branch Manager is that the Company is having stiff competition from companies like Halda, Godrej. Rayala Corporation have got their Agency at Bangalore. Ex. M9 is produced by this witness to show the details of the staff employed by the Agents of the Rayala Corporation. The evidence of this witness is that the employees of the Rayala Corporation at Bangalore are not getting any lunch allowance or medical benefits. He however admits that the Remington Rand, Bangalore Branch pays a lunch allowance to its employees going out beyond the City limits and who cannot return to Bangalore on the same day. He does not seem to have much knowledge about his own Company's affairs because he admits that Re. I is being paid as lunch allowance, whereas the I Party contends that it is actually 0 75 paise that is paid as lunch allowance. The witness says that the Remington Company is not paying any lunch allowance to the indoor workers in any part of the Southern Region. However he admits that the company is paying lunch allowance to its employees at Delhi and Calcutta. He further admits that the employees are transferable from one place to the other. By virtue of an agreement the Delhi employees are getting a higher scale of salary than the Calcutta employees. To compensate that, lunch allowance is being paid at Calcutta. At Bangalore, the witness admits that Voltas are paying lunch allowance to their employees *i.e.*, those who cannot return home for lunch. He is not able to say if lunch allowance is paid in Delhi Regional Office also. Nor is he able to say the circumstances under which lunch allowance is being paid either at Calcutta Regional Office or Delhi Regional Office. He has produced some documents to show that lunch allowance is not being paid by some of the establishments in Bangalore in similar concerns. He has produced Ex. M4 which is an agreement between the Dunlop Rubber Company, India, Ltd., and Dunlop Employees Union, Hyderabad. Even here the company has agreed to pay lunch allowance of Rs. 1·50 per day to all employees who are graded in accordance with the grading schemes attached to

this agreement subject to the condition that it will be payable in respect of those days on which the employees are present excluding Saturdays, Sundays and holidays. So in Hyderabad the employees of the Dunlop Rubber Company are getting Rs.1-50 per day as Lunch Allowance according to the document produced by the II party itself. Ex.M12 is produced by the Company to show the working conditions of Gestener Duplicator Private Ltd., Calcutta to show that no lunch allowance is being paid to its employees, Condition No.5 in Ex.M12 shows that no lunch allowance is payable, but lunch money is paid to the following categories of employees if they work through the lunch hour at the rate of Re.1./- and Rs 1.50 per day. So also regarding the medical benefits. According to Ex.M12, medical benefits are not given to the employees of Gestener Duplicators as a matter of right but on individual applications each case is considered for medical benefit. So also in the case of Dunlop Rubber Company. According to clause 13 of Ex M4, an employee will be entitled to consult free of charge the Company's doctor either at the office or by appointment at his Consulting Room. If recommended by the Medical Officer, the Company will pay the cost of X-Ray examination, electrical treatment, massage, injection etc., and any other special treatment, as also special fees. Again, if recommended by the Medical Officer that an operation is necessary, the company will pay the cost of such operation in excess of Rs. 25 and the hospital charges in excess of Rs 2 per day. It is thus clear from the documents produced by the II party that a lunch allowance is being given to the employees as also the medical benefits Ex.M6 is a copy of the Memorandum of Settlement, dated 28th May 1962 under which the employees of the Calcutta Branch are entitled to the medical benefits. The Union has also produced some documents to show that in more or less comparable concerns of Bangalore. there is a practice of paying lunch allowance and giving medical benefits. Ex.W20 is the G.E.C. Employees Union Report according to which Tiffin Allowance is being given to the employees of the G.E.C. Clause (3) at page 42 of Ex.W20 shows that the employees who are in receipt of a basic salary of less than Rs. 300 were entitled to Tiffin allowance of 0.62 paise for full working day and 0.75 paise for full working day from 1st February 1961. Ex.W6 shows the working conditions of the East Asiatic Company Staff Union, Madras. Even there lunch allowance is paid at Rs.1.50 and 0.75 paise per day. That is now raised to Rs. 2 and Re. 1 for all clerical staff and menial staff. It was argued by Mr. Nathan that the Union has failed to produce

evidence of conditions of service in compsrable concerns in Bang-alore. The evidence produced of the other companies by the I party, is not of much help. The contenion of the Union is that there is no other comparable company anywhere in Bangalore or nearby, both in the matter of number of employees, number of branches it has and the volume of business it is doing and the Reserves it has built up and the reputation it has established. There is no other company equal to this company anywhere in India. This fact is in a way proved by Exhibits which I have referred to above. When there is no comparable industry in the region, necessarily one has to look to conditios prevailing in the other industries and M.W.1 admits that in Bagalore Voltas are paying lunch allowance to their employees and I have shown by several exhibits that the Dunlop Rubber Company, Gestener Company and the G.E.C. company are paying lunch allowance to their employees. Not merely that, the company itself is paying lunch allowance to its employees at Culcutta and at Delhi. It was argued by Mr. Nathan that if lunch allowance and medical benefits are available to the employees of the Calcutta Region it was due to an award. Whatever that be the fact is there that one section of the employees or the employees of one or two regions are getting lunch allowance and medical benifits, while the same is denied to the employees of other branches. M.W.1 has admitted that the empioyees of Bangalore are transferable to any place in India. He also admits that the working conditions throughout the Branches in various places and the working conditions among all the Regions are uniform. If that is the case it stands to reason that the benefits which the employees will be entitled to must also be uniform. The Company cannot make any discrimination between the employees of one Brach and the employees of the other. I only quote one decision of the Supreme Court reported in 1964 (I) LLJ 750. Their Lordships of the Supreme Court have laid down.—

> "In view of the facts of the instant case where the company has paid retaining allowance to some of its Clerks and the practice followed by the other factories in the neighbourhood, the company cannot make any discrimination in the payment of retaining allowance to some of the clerks. It was not explained by the campany as to how and why it paid retaining allowance to half of the seasonal clerks and not to others."

Their Lordships therefore have condemned such a practice of discrimination among the employees. Mr. Nathan was not able

to convince me as to why these benefits are extended only to the Calcutta and Delhi employees and not to other regions. His only argument was that if this tribunal granted the facilities to the Bangalore Branch workers, the employees also would claim similar benefits and thus industrial unrest would result. I fail to see the force of this argument. On the contrary, if there is no uniformity of service conditions or the benefits of the employment of one region, there is every reason for the employees of one region to feel aggrieved against the attitude adopted by the company. Regarding the financial capacity to meet this demand, the company has not whispered even a word in the counter statment that it is not in a position to meet these demands. On the contrary I have shown by Exhibit W16, the volume of business it is doing and the increased volume of business year after year is something unimaginable, and the company is making huge profits and the extra expenditure on account of the grant of these demands would not even amount to a fly bite to the funds of the company.

10. In the result, I make an award holding that all employees of the Bangalore Branch, both in-door and out-door, will be entitled to lunch allowance of Re. 1 per day on days on which they attend to work of the company. Regarding Issue No.2, medical benefits, the Madras Tribunal has in a way suggested a scheme. Even that cannot be denied to the employees of the Bangalore Branch. The Management therefore shall reimburse the medical expenses inourred by the workmen and their familie while sick. In regard to Lunch Allowance and the medical benefit, they will take effect from the date of the award, while with regard to Issue No.3' it will take effect from 11 thSeptember 1965.

11. I also direct the Company to pay to the I Party Union a sum of Rs.200 (Two Hundred only) towards the costs of this case.

(A. PANCHAKSHARAIH)

Presiding Officer,
Industrial Tribunal;
Bangalore-2.

ORDER

Bangalore, dated the 27th September 1967.

S. O. 1983.—WHEREAS by State Government Order No. LMA 637 LLD 65, dated 3rd February 1967, the Industrial Dispute between the Workmen and the Management of Remington Rand of India, Ltd., Bangalore Branch Office, 25 and 25 A. Mahatmagandhi Road, Bangalore-1, was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazettee*.

[No. LMA 637 LLD 65.]

By Order and in the name of the Governor of Mysore,

1214 G. G. PUROHIT, *Under Secy*.

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Mangalore Municipality, Mangalore, South Kanara,

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers:—

(1) Letter I T No. 1105-6/67-68, dated 30th September 1967, from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE, (MANGALORE CAMP.)

Dated: 27th September 1967.

Present :

Sbri A. Panchakshariah, B.A. (Hons.), L.L.B., *Presiding Officer.*

I.D. No. 51 of 1967.

The Workmen of Mangalore Municipality, Mangalore, South Kanara. ... ... *I Party*

Vs

The Management of Mangalore Muncipality, Mangalore, South Kanara ... ... *II Party*

APPEARANCES

For the I Party: Shri Telcharkar, Organizing Secretary, INTUC, Mangalore.

For the II Party: Shri Karnad Sashidhar Rao, President, General Managements' Association, Mangalore.

Reference

G. O. No. FCL 655 LLD 65 dated 18th July 1967.

AWARD

This Reference is being rejected as the same dispute has been referred to this Tribunal under Section 10 (1) (d) of tho Industrial Disputes Act, 1947 (Central Act XIV of 1947) by the Government of Mysore in their Order No. PLM 655 LLD 65, dated 28th June 1967 and the same was registered as I.D. No. 46 of 1967. The subject matter of I.D. No. 46 of 1967 and the points of dispute are :

"I. If Sri N.S. Giri, Sanitary Inspector of Mangalore Municipality doing the additional work of Projectionist and Health Education propoganda entitled to :—

(a) Restoration of Special Allowance of Rs. 30 per month from 1st January 1964.

(b) Sanction of pay scale of Rs. 140-5-150-8-190-10-320 from 1st January 1964.

II. If not, to what other reliefs is he entitled?"

and the subject matter of dispute in I.D., No. 51 of 1967 are practically identical and are as follows :

"I. If Sri N. S. Giri, Sanitary Inspector of Mangalore Municipality doing the additional work of Projectionist and Health Education propaganda entitled to :

(a) Restoration of Special allowance of Rs. 30 per month from 1st January 1964.

(b) Sanction of pay scale of Rs. 140-5-150-8-190-10-320 from 1st January 1964.

II. If not, to what other reliefs is he entitled?"

I, therefore, find I.D. No. 51 of 1967 is superfluous and has to be rejected. Further both the Parties have filed a joint Memo stating that the Reference in this dispute is the same as that of I D. No. 46 of 1967 and hence this dispute may be rejected. Further, it must be noted that the rejection of I.D. No. 51 of 1967 will not come in the way of the Parties who had their rights in I.D. No. 46 of 1967 and obtaining the decision. In view of the fact that the same dispute is covered under I.D. No 46 of 1967 and is pending for decision, this Reference is rejected. There will, however, be no order as to costs.

A. PANCHAKSHARIAH

Presiding Officer,
Industrial Tribunal, Bangalore.
27—9—1967.

ORDER

Bangalore dated the 7th October 1967.

S.O. 1984—WHEREAS by State Government Order No. FCL 655 LLD 65, dated 18th July 1967 the Industrial Dispute between the Workmen and the Management of Mangalore Municipality, Mangalore, South Kanara. was referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 655 LLD 65.]

By Order and in the name of the Governor of Mysore.

1257 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Sundekere Estate, Sakleshpura Post, Hassan District.

Award of the Labour Court, Bangalore Published.

Read the following papers :—

(1) Letter No. 688/67-68, dated 27th Septembor 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 27th day of September 1967.

Present :

Sri. P. T. Kadkol, B.SC., LL.B., *Presiding Officer.*

Reference No. 72 of 1965.

Workmen represented by the Secretary, Inter-Districts Plantation Workers Union, Sakleshpura Post, Hassan District.

... *I Party.*

Vs.

The Management of M/s. Sundekere Estate, Sakleshpura Post, Hassan District.

... *II Party.*

(Reference : Government Order No. PLM 500 LLD 64, Dated 23rd November 1965).

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Sundekere Estate, Sakleshpura Post, Hassan District have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. PLM 500 LLD 64, dated 23rd November 1967, setting out the following points of dispute for adjudication:—

> " Whether the management of Sundekere Estate, Sakleshpur Post, Hassan District is justified in dismissing the services of Sri. Chella Muthu and 9 other workers (as per list) (Annexure)? If not; whether the said workers are entitled to reinstatement with back wages or any other relief ?"

ANNEXURE

Sarvashri.—

1 Chellamuthu
2 Pioney
3 Krishan
4 Keppan
5 Arunachala Maistry
6 Dakkaiah
7 Chento
8 Komaraswamy
9 Parvathy
10 Sri Lanthu

2. The cause of the aggrieved workmen has been sponsored by Inter-Districts Plantation Workers, Union, Sakleshpur which is a registered trade union. This Union as representing the workmen is the first party and the management of M/s. Sundekere Estate is the second party in this dispute.

3. In response to the notice issued by this Court, the first party has put in its statement of claims dated 15th December 1965 and the management of the second party has put in its statement of objections dated 18th February 1966.

4. On the basis of these pleadings some issues were framed and set down for hearing (*Vide* Order Sheet dated 23rd May 1966). The case underwent some adjournments and on 23rd September 1967 the representatives of both the parties appeared and filed a joint memorandum of settlement Ex. A and prayed for an award being passed in terms of it. It is stated therein that the parties have decided to amicably settle the dispute under reference and some other disputes pending between them by direct negotiations and in view of this and to facilitate the same the first party has said that it does not wish to press its claims in the present case. Considering all the facts and circumstances I am of opinion that the settlement is fair and reasonable. Hence I accept it and proceed to make an Award as under:—

AWARD

Reference is accepted. An award is made between the parties in terms of the memorandum of settlement Ex. A. which should be annexed to this Award and be deemed as forming part thereof. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HONOURABLE LABOUR COURT, BANGALORE.

Ref. No. 72 of 1965.

The Workmen of Sundekere Estate. ... *I Party.*

Vs.

Management of Sundekere Estate ... *II Party.*

MEMO.

1. The parties above named submit that they have decided to amicably settle the above dispute and also other matters pending between them by direct negotiations.

2. In order to facilitate the same, the First Party submits that they do not wish to press their claims in the above case.

3. In view of this it is humbly prayed that the above reference may kindly be rejected.

Sd/ M. C. Narasimhan.
23-9-67.
for the I Party.

Sd/ John Taylor. 23rd September 67. For the I Party Inter-District Plantation Workers Union, Sakleshpur.

Sd/ K. Ramadas. 23 9-67.
for II Party.

Filed, Recorded and Marked Ex. A.
Intd. P. T. K.
23-9-67

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 4th October 1967.

S. O. 1985.—WHEREAS by State Government Order No. PLM 500 LLD 64, dated 23rd November 1965, the Industrial Dispute between the Workmen and the Management of M/s. Sundekere Estate, Sakleshpura Post, Hassan District was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. PLM 500 LLD 64.]

By Order and in the name of the Governor of Mysore,

1228 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT, (LABOUR)

Labour Dispute :—Industrial Dispute between the workmen and the management of India Tin Industries, (P) Ltd., Old Madras Road, Bangalore-16.

Award of the Additional Tribunal, Bangalore—Published.

Read the following papers :

(i) Letter No. AI. T. No. 512-13/67-68, dated 13th September 1967 from Sri V. C. Ramachandran Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 12th September 1967.

PRESENT

Sri V. C. Ramachandran, B.A., B.SC., A. R.C.S., Bar-at-Law,
Presiding Officer.

A. I. D. No. 4 of 1966.
I. D. No. 31 of 1964.

The Workmen of India Tin Industries, Private Ltd., Old Madras Road, Bangalore-16. ... *I Party.*

The Management of India Tin Industries, Private Ltd., Old Madras Road, Bangalore-16. ... *II Party.*

APPEARANCES.

For the 1st Party.—Sri M. C. Narasimhan, Advocate, Bangalore.

For the 2nd Party.—Sri S. G. Sunderswamy, Advocate, Bangalore.

REFERENCE

(Goverenment Order No. PLM 375 LLD 63, dated 1st Oct. 1963.)

This is a Reference referred by the Government of Mysore in their Order No. PLM 375 LLD 63, dated 1st Oct. 1963 to the then Additional Industrial Tribunal presided over by Sri K. Gubaiah for adjudication under Section 10 (1) (d) of the Industrial Disputes Act, 1947. After the abolition of that Tribunal the said Dispute was transferred to the Industrial Tribunal by the Government of Mysore. It was taken on the file of the Industrial Tribunal and numbered as I.D. No. 31 of 1964. Again the said dispute was transferred to the Additional Industrial Tribunal by the Government of Mysore and it was renumbered as A.I.D. No. 4 of 1966 and taken on the file of this Tribunal for adjudication. The points referred for adjudication are (1) whether the employees should be paid bonus at the rate of 35% of their average wages earned during the years 1961-62 and 1962-63 (2) for evolving a Gratuity Scheme of one month's pay including D. A. for every year of service they put in.

2. The claims of the workers for gratuity as well as for bonus for the years 1961-62 and 1962-63 were resisted by the Management on various grounds, firstly that there was no profit made during the years in question and therefore, there was no available surplus during the years which would entitle them for bonus and secondly that the Company is not in a position financially to start the Gratuity Scheme. The Profit and Loss Account during the last few years according to the Management indicate that the industry is neither in a position to pay the bonus claimed by the workmen nor introduce any Gratuity Scheme as envisaged in the Claim Statement.

3. A number of Issues have been framed with regard to liability of the Management to pay the Bonus for the years 1961-62 and 1962-63 and also with regard to the introduction of the Gratuity Scheme. It is, however, unnecessary to go into these Issues because fortunately after the evidence had been closed and before arguments were heard, the Parties had come to a settlement of the disputes. They have filed a Memorandum of Settlement under which it is agreed between them that the introduction of Gratuity Scheme will await the recommendations of the Wage Board constituted by the Central Government for Engineering

Industries. The workmen have received bonus for the years ending 30th June 1965 and 30th June 1966 and have given up their claims for the years 1961-62 and 1962-63. Indeed a perusal of the Balance Sheets for those two years show clearly that there was no available surplus out of which bonus could be paid to the workmen. Taking all these circumstances into consideration, I am of the view that the settlement reached between the Parties during the course of the proceedings before this Tribunal is just fair and reasonable and accepting the Settlement, I pass the following :—

AWARD

The terms of settlement arrived at between the Parties, a copy of which is annexed hereto, will be the Award in the above case. There will be no order as to costs.

V. C. RAMACHANDRAN,
Presiding Officer.
Additional Industrial Tribunal,
Bangalore.

ANNEXURE

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL BANGALORE.

A.I.D. No. 4 of 1966

First party :

Workmen of the India Tin Industries (Private) Ltd.

Vs

Second party :

Management of the India Tin Industries (Private) Ltd.,

The Parties abovenamed submit that they have entered into a settlement of the dispute pending between them including those which from the subject matter of this reference and in A.I.D. 32/66 in the file of this Hon'ble Tribunal. They pray that an award be made in this case as follows :—

(1) The workmen withdraw their claim for bonus for all periods prior to the coming into force of the payment of Bonus Act. So far as the Bonus payable under the Payment of Bonus Act is concerned the same has been paid by the Second Party for the Accounting years ended 30th June 1965 and 30th June 1966.

(2) In regard to the claim for gratuity the same is not pressed by the First Party at this stage. In case the Wage Board constituted by the Central Government for Engineering Industries as per its Resolution No. WB-4 (3)-64 dated 12th December 1964, makes a final recommendation for the introduction of a Gratuity scheme and that is accepted by the Central Government, the Second Party will give effect to such recommendation.

(3) In case the final recommendation of the said Wage Board as accepted by the Central Government does not provide for a Scheme of Gratuity then the First Party will be at liberty to make a demand for it and the II Party will be at liberty to contest it, in which case the matter will have to be dealt with in accordance with the provisions of the Industrial Disputes Act.

I

(4) Till such time as the said Wage Board makes its Fina Recommendations and the Central Government passes its orders thereon, the First Party shall not be entitled to raise any dispute in regard to gratuity or any other retirement benefit or in regard to wages, Dearness Allowance or any other matter which is within the scope of the said Wage Board or matters in regard to which any demands have been made by the Workmen (First Party) so far, nor shall they be entitled to make any demands within the period during which the recommendation of the Wage Board remain in force as may be provided therein, regarding matters covered by its recommendations and the award to be made hereon.

(5) Both the Parties confirm that there is no dispute or Demand of any kind outstanding between them as on date in view of the settlement reached in this case and in case No. A.I.D. 32 of 1966.

6) The Parties shall bear their own costs.

For the First Party

Sd/
Treasurer,

India Tin Industries Workers' Union,
Bangalore
Dated : 6-9-1967

Sd/ M. C. Narasimhan,
Counsel for the I Party.

For the Second Party

For The India Tin Industries (P) Ltd.,
Sd/.
Managing Director.

Sd/ S. G. Sunderswamy,
Counsel for the II Party

'True Copy'

Execution admitted before me.

Sd/. V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal.
6-9-1967

Sd/-
Presiding Officer,
Additional Industrial
Tribunal Baugalore.

ORDER.

Bangalore, dated the 15th September 1967.

S. O. 1986.—WHEREAS by State Government Order No. PLM 375 LLD 63, dated 1st October 1963, the Industrial Dispute between the Workmen and the Management of India Tin Industries, (P) Ltd., Old Madras Road, Bangalore-16. was referred to the Industrial Tribunal, Bangalore for adjudication ;

AND WHEREAS this dispute was transferred to Additional Industrial Tribunal, Bangalore by G.O.No. LMA 595 LLE 66, dated 17th Dec. 1966.

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. PLM 375 LLD 63.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary.

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore dated 7th October 1967.

S. O.1987 In exercise of the powers conferred by section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situtions and limits of which are specified in the schedule hereto annexed, as a reserved forest;

(ii) appoints the Forest Settlement Officer Mangalore, to be the Forest Settlement Officer for purpose of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under sections 11, 12, and 13 of the said Act.

SCHEDULE

Name of the District	:	South Kanara.
Name of the Taluk	:	Puttur.
Name of the villages	:	Irde, Panaje and Bettampadi villages.
Survey Field Nos.	:	43/1, 65, 66 and 88 of Irde village, 15/1A, 2/1A, ½, 6/2B and 56/1A1 of Panaje village, 250 of Bettampadi village.
Name of the Block	:	Irde Block.
Extent.	:	319.30

Boundary Description.

North: Starting from the station No. 10, a point situated at the newly constructed cairn No. 10, the demarcation line of the proposed block runs first in the North-East direction to station No. 11, at a distance of 110 links. From there it runs in South-East direction to station No. 12, a distance of 217 links. Again it runs in North-East direction to station No. 13, a distance of 400 links. Thence it runs in Northern direction near 'Jogimoole' to station No. 14, a distance of 313 links. Thence it runs in North-East direotion to station No. 15, a distance of 570 links. From there it runs in South-East direction to station No. 16, a distance of 440 links. From there it runs in Southern-direction to station No. 17, a distance of 266 links. Therefrom the line runs in almost south-east direction near 'Darbe' a distance of 670 links to reach the station No. 19, passing through the intermediate station 18. Thence it runs in Southern direction to station No. 20, a distance of 295 links. From there it runs in almost South-East direction a distance of 1185 links to reach the station No. 22, passing through the intermediate station 21. Therefrom it runs in almost North-East direction a distance of 920 links to reach the station No. 25, passing through the intermediate stations 23 and 24. Again it runs in Northern direction to station No. 26, a distance of 450 links. Thence it runs in South-East direction to station No. 27, a distance of 511 links. From there it runs in South-West direction near 'Baleguli' a distance of 665 links to reach the station No. 30, passing through the intermediate stations 28 and 29. From there it runs in Southern direction to station No. 31, a distance of 390 links. Therefrom the line runs in almost South-West direction near 'Katukaje' a distance of 1183 links to reach the station No. 35, passing through the intermediate stations 32 to 24. Thence it runs in almost South-East direction a distance of 1375 links to reach the station No. 38 passing through the intermediate stations 36 and 37. Thence it runs in almost in Southern direction to station No. 39, a distance of 342 links. From there it runs in South-West direction to station No. 40, a distance of 385

links. Again it runs in southern direction to station No. 41, a distance of 260 links. From there it runs in South-West direction to station No. 42, a distance of 300 links. Therefrom the line runs in almost South-East direction near 'Baleguli Byle' a distance of 1239 links to reaeh the statien No. 45, passing through the intermediate stations 43 and 44. From there it runs in North-East direction to station No. 46, a distance of 330 links. Thence the line runs almost in Southern direction a distance of 965 links. to reach the station No. 49, passing through the intermediate stations 47 and 48. From there it runs in Eastren direction to station No. 50, a distance of 405 links. Thence it runs in North-East direction to station No. 51, a distance of 408 links. From there it runs in North-West direction to station No. 52, a distance of 280 links. Again it runs in Northren direction to station No. 53, a distance of 400 links. Thence the line runs in South-East direction a distance of 965 links to reach the station No. 55, passing tl rough the intermediate station 54. Therefrom it runs in almost North-East direction a distance of 835 links to reach the station No. 58, passing through the intermediate stations 56 and 57, From there the line runs in almost North-West direction a distance of 1 140 links to reach the station No. 62 passing through the intermediate stations 59 to 61. Again it runs in almost North-East direction a distance of 380 links to reach the station No. 64, passing through the intermediate station 63, Thence the line runs in almost Northern direction a distance of 1110 links to reach the station No. 67, passing through the intermediate station 65 and 66. From there it runs in North-West direction to station No. 68, a distance of 325 links. Then it runs in Northern direction to station No, 69, a distance of 260 links. Again it runs in North-West direction to station No. 70, a distance of 436 links. From there it runs in almost North-East direction a distance of 772 links to reach the station No. 72, passing through the intermediate station 71. Therefrom the line runs in almost North-West direction a distance of 3138 links to reach the station No. 80, passing through the intermediate stations 73 to 79. From there it runs in almost North-East direction a distance of

895 links to reach the station No. 82, passing through the intermediate station 81. Thence it runs in almost Eastren direction near 'Gandi' distance of 642 links to reach the station No. 85, passing through the intermediate stations 83 and 84. Thence it runs in North-East direction to station No. 86, a distance of 470 links. Therefrom the line runs in almost South-East direction near 'Doomadka' a distance of 1314 links to reach the station No. 90, passing through the intermediate stations 87 to 89. Thence it runs in South-West direction a distance of 906 links to reach the station No. 92, passing through the intermediate station 91. From there it runs in South-East direction to station No. 93, a distance of 215 links. Thence it runs in North-East direction a distance of 575 links to reach the station No. 95, passing through the intermediate station 94. Again it runs in almost South-East direction a distance of 444 links to reach the station No. 97, passing through the intermediate station 96. From there it runs in near 'Chakote' in North-East direction to station No. 98, a distance of 590 links. Again it runs in almost South-East direction a distance of 695 links to reach the station No. 100, passing through the intermediate station 99. Thence the line runs in North-East direction to station No. 101, a distance of 400 links. From there it runs in Northern direction to station No. 102, a distance of 210 links. Thence it runs in almost Eastern direction a distance of 545 links to reach the station No. 104, passing through the intermediate station 103.

Bearing and distances from station to station are as follows :—

Station Numbers		Bearings	Distances.
From	To	in F. B.	in links.
1	2	3	4
10	11	48	110
11	12	123½	217
12	13	65½	400
13	14	351	313
14	15	31	570
15	16	130	440

1	2	3	4
16	17	184½	266
17	18	162	300
18	19	102	370
19	20	182½	295
20	21	163½	455
21	22	151	730
22	23	70½	375
23	24	47	295
24	25	37½	250
25	26	3	450
26	27	118	511
27	28	200	155
28	29	199	140
29	30	205½	370
30	31	178½	390
31	32	227	254
32	33	236½	614
33	34	194	500
34	35	181½	215
35	36	117	325
36	37	129½	415
37	38	100	635
38	39	183½	342
39	40	260	385
40	41	182	260
41	42	208	300
42	43	103½	315
43	44	143½	400
44	45	114	524
45	46	66	330
46	47	184	405
47	48	177	270
48	49	173½	290
49	50	89½	405
50	51	8	408
51	52	315½	280
52	53	1	400
53	54	118½	435
54	55	116	530
55	56	22½	270
56	57	37½	275
57	58	56½	290
58	59	329½	250
59	60	341½	100

1	2	3	4
60	61	345½	370
61	62	350½	420
62	63	37	150
63	64	58	230
64	65	344	335
65	66	356	295
66	67	5½	480
67	68	284½	325
68	69	7	260
69	70	337½	436
70	71	77	387
71	72	35	385
72	73	308	485
73	74	320	590
74	75	292½	345
75	76	321	205
76	77	341	335
77	78	290½	410
78	79	307½	350
79	80	303½	418
80	81	14½	510
81	82	36	385
82	83	82	150
83	84	92½	127
84	85	88½	365
85	86	77	470
86	87	113	400
87	88	132½	354
88	89	105	340
89	90	162½	220
90	91	195	368
91	92	202	538
92	93	155	215
93	94	68	320
94	95	73	255
95	96	162	270
96	97	115½	174
97	98	26	590
98	99	157½	295
99	100	140	400
100	101	20	400
101	102	358	210
102	103	97	190
103	104	102½	355

East:—Thence the demarcation line of the proposed block runs in almost South-West direction a distance of 1940 links to reach the station No. 109, passing through the intermediate stations 105 to 108. From there it runs in Southern direction to station No. 110, a distance of 400 links. Thence it runs in South-East direction to station No. 111, a distance of 275 links. Thence it runs in almost Eastern direction to station No. 112, a distance of 295 links. From there it runs in almost South-East direction a distance of 600 links to reach the station No. 114, passing through the intermediate station 113. From there it runs in almost North-East direction a distance of 740 links to reach the station No. 116, passing through the intermediate station 115. From there it runs in almost Southern direction to station No. 117, a distance of 160 links. Thence it runs in Eastern direction to station No. 118, a distance of 1115 links to reach the station No. 120, passing through the intermediate station 119. Thence it runs in South-East direction to station No. 121, a distance of 435 links. Again it runs in North-East direction to station No. 122, a distance of 330 links. From there, it runs in South-East direction near 'Mudelkady' a distance of 985 links to reach the station No. 124, passing through the intermediate station 123. Again it runs in Eastern direction to station No. 125, a distance of 500 links. Thence it runs in Southern direction a distance of 865 links to reach the station No. 127, passing through the intermediate to station 126. Thence it runs in almost North-West direction a distance of 1220 links to reach the station No. 129, passing through the intermediate station 128. There from the line runs in almost South-West direction near 'Pelathaje' a distance of 1710 links to reach the station No. 132, passing through the intermediate stations 130 and 131. From there it runs in North-West direction a distance of 830 links to reach the station No. 135, passing through the intermediate stations 133 and 134. Thence it runs in South-West direction a distance of 835 links to reach the station No. 137, passing through the intermediate station 136. From there it runs in North-West direction to station No. 138, a distance of 410 links.

Thence it runs in Western direction to station No. 139, a distance of 416 links. Again it runs in North-West direction to station No. 140, a distance of 285 links. Again it runs in South-West direction to station No. 141, distance of 510 links. Thence the line runs in South-East direction near 'Para', a distance of 880 links to reach the station No. 143, passing through the intermediate station 142. From there it runs in South-West direction to station No. 144, a distance of 280 links. Again it runs in South-East direction to station No. 145, a distance of 353 links. Again the line runs in almost South-West direction a distance of 1115 links to reach the station No. 148, passing through the intermediate stations 146 and 147. Again it runs in almost South-East direction near 'Neeraje' a distance of 801 links to reach the station No. 150, passing through the intermediate station 149. From there it runs in almost South-West direction a distance of 655 links to reach the station No. 154, passing through the intermediate station 153. From there it runs in Southern direction near 'Poyya' a distance of 1060 links to reach the station No. 156, passing through the intermediate station 155. Therefrom the line runs in South-East direction near 'Kamunaru', a distance of 1220 links to reach the station No. 159, passing through the intermediate stations 157 and 158.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
104	105	199	215
105	106	187½	305
106	107	234½	520
107	108	216	460
108	109	206	440
109	110	177½	400
110	111	155½	275
111	112	82	295
112	113	164	200
113	114	151	400

1	2	3	4
114	115	78½	450
115	116	57	290
116	117	168	160
117	118	92	470
118	119	34½	415
119	120	57½	700
120	121	144	435
121	122	36	330
122	123	99	125
123	124	110½	800
124	125	91½	500
125	126	174	530
126	127	178	335
127	128	306	690
128	129	292	530
129	130	266	700
130	131	244	450
131	132	237½	560
132	133	286	180
133	134	281	235
134	135	280½	415
135	136	213½	480
136	137	205½	355
137	138	321½	410
138	139	268	416
139	140	285	285
140	141	224	510
141	142	161	490
142	143	152½	390
143	144	201	280
144	145	151½	353
145	146	197½	455
146	147	252½	250
147	148	235½	410
148	149	153½	445
149	150	161½	356
150	151	247½	190
151	152	198½	405
152	153	155	405
153	154	144½	250
154	155	172	490
155	156	176½	500
156	157	120½	385
157	158	120	345
158	159	128½	490

South.—Thence the demarcation line of the proposed block runs in almost South-West direction a distance of 1070 links to reach the station No. 161, passing through the intermediate station 160. From there it runs in Southern direction to station No. 162 a distance of 358 links. Therefrom the line runs in almost North-West direction near 'Keelampady', a distance of 1207 links to reach the station No. 166, passing through the intermediate stations 163 to 165. Thence it runs in South-West direction to station No. 167, a distance of 355 links. From there it runs in Northern direction to station No. 168, a distance of 378 links. Thence it runs in North-East direction a distance of 463 links to reach the station No. 170, passing through the intermediate station No. 169. From there it runs in almost Eastern direction to station No. 171, a distance of 200 links. Thence it runs in Northern direction to station No. 172, a distance of 340 links. Therefrom it runs in almost North-West direction a distance of 1075 links to reach the station No. 176, passing through the intermediate stations 173 to 175. Thence it runs in almost South-West direction a distance of 766 links to reach the station No. 179, passing through the intermediate stations 177 and 178. From there it runs in North-East direction a distance of 625 links to reach the station No. 181, passing through the intermediate station 180. From there it runs in North-West direction to 182, a distance of 330 links. Thence it runs in Northern direction a distance of 583 links to reach the station No. 184, passing through the intermediate station 183. From there it runs in North-West direction to station No. 185, a distance of 330 links. Therefrom the line runs in almost South-West direction near 'Jalakanda' a distance of 1565 links to reach the station No. 189, passing through the intermediate stations 186 to 188. Again it runs in North-West direction to station No. 190, a distance of 460 links. Thence it runs in North-East direction a distance of 568 links to reach the station No. 192, passing through the intermediate station 191. Again it runs in North-West direction to station No. 193, a distance of 343 links. Thence it runs in South-East direction near 'Bollimbala', a distance of 985 links to reach the station

No. 195, passing through the intermediate station 194. From there it runs in almost Northern direction to station No. 196, a distance of 300 links. Therefrom the line runs in North-East direction a distance of 975 links to reach the station No. 199, passing through the intermediate stations 197 and 198. From there it runs in Northern direction a distance of 510 links to reach the station No. 201, passing through the intermediate station 200. Thence it runs in North-West direction a distance of 635 links to reach the station No. 203, passing through the intermediate station 202. Again it runs in North-West direction a distance of 400 links to reach the station No. 205 passing through the intermediate station 204. Again it runs in North-West direction to station No. 206, a distance of 415 links. From there it runs in South-West direction to station No. 207, a distance of 260 links. Thence it runs in Western direction to station No. 208, a distance of 362 links. Thence it runs in almost North-West direction a distance of 735 links to reach the station No. 210, passing through the intermediate station 209. From there it runs in Northern direction a distance of 595 links to reach the station No. 212, passing through the intermediate station 211. Thence it runs in North-East direction a distance of 490 links to reach the station No. 214, passing through the intermediate station 213. From there it runs in North-West direction a distance of 885 links to reach the station No. 217, passing through the intermediate stations 215 and 216. Thence it runs in Western direction to station No. 218, a distance of 265 links. Therefrom the line runs in almost North-West direction near 'Mundithadka' a distance of 960 links to reach the station No. 221, passing through the intermediate stations 219 and 220. From there it runs in almost South-West direction a distance of 490 links to reach the station No. 223, passing through the intermediate station 222. Again it runs in North-West direction to station No. 224, a distance of 395 links. Again it runs in Western direction to station No. 225, a distance of 325 links. Therefrom the line runs in South-West direction a distance of 840 links to reach the station No. 228, passing through the intermediate stations 226 and 227. Thence it runs in South-East

direction to station No. 229, a distance of 325 links. Again it runs in Southern direction to station No. 230, a distance of 200 links. From there it runs in almost South-East direction a distance of 748 links to reach the station No. 232, passing through the intermediate station 231. Therefrom the line runs in almost South-West direction near 'Kakekochi' a distance of 1840 links to reach the station No. 237, passing through the intermediate stations 233 to 236.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
159	160	238½	585
160	161	260	485
161	162	174½	358
162	163	308	125
163	164	335	305
164	165	338½	422
165	166	280½	355
166	167	215	355
167	168	353	378
168	169	55	225
169	170	62	238
170	171	101	200
171	172	2	340
172	173	340½	210
173	174	337½	335
174	175	332½	290
175	176	287½	240
176	177	205	296
177	178	244½	200
178	179	244	270
179	180	17½	270
180	181	7½	355
181	182	318½	330
182	183	346	335
183	184	358	248
184	185	302½	330
185	186	189	465
186	187	259½	170
187	188	255½	355
188	189	220	575

1	2	3	4
189	190	330	460
190	191	23½	238
191	192	20½	330
192	193	321½	343
193	194	256	385
194	195	259	600
195	196	346	300
196	197	51½	360
197	198	55½	310
198	199	53	305
199	200	359	250
200	201	360	260
201	202	295	235
202	203	294	400
203	204	6½	200
204	205	3	200
205	206	322½	415
206	207	241	260
207	208	260½	362
208	209	295	265
209	210	335	470
210	211	11	225
211	212	358	370
212	213	34½	275
213	214	17	215
214	215	319	370
215	216	309½	280
216	217	317	235
217	218	260½	265
218	219	283	285
219	220	306½	315
220	221	302½	360
221	222	198	305
222	223	235	185
223	224	318	395
224	225	275½	325
225	226	222½	350
226	227	211½	210
227	228	197	280
228	229	125½	325
229	230	173½	200
230	231	145½	470
231	232	162½	278
232	233	216½	285
233	234	204½	175
234	235	197½	280
235	236	242	625
236	237	233	475

West :—Thence the demarcation line runs in North-West direction a distance of 728 links to reach the station No. 239, passing through the intermediate station 238. From there it runs in almost North-East direction a distance of 3895 links to reach the station No. 3, passing through the intermediate stations 240 to 2. From there it runs in almost South-East direction a distance of 658 links to reach the station No. 5, passing through the intermediate station 4. Again it runs in Eastern direction to station No. 6, a distance of 500 links. Thereform the line runs in almost Northern direction a distance of 884 links to reach station No. 9, passing through the intermediate stations 7 and 8. From there it runs finally in North-West direction a distance of 272 links to reach the station No. 10, which is the starting point.

Bearings and distances from station to station are as follows —

Station Numbers From	To	Bearings in F. B.	Distances in Links
237	238	290	340
238	239	302½	388
239	240	6½	250
240	241	13½	350
241	242	16½	432
242	243	12½	268
243	244	64	220
244	245	57½	265
245	246	82	325
246	247	7	212
247	248	6	557
248	1	13½	426
1	2	2	233
2	3	11	357
3	4	95½	195
4	5	118	463
5	6	89	500
6	7	359	273
7	8	11	248
8	9	1	363
9	10	334½	272
		—Starting point.	

Right of ways

(i) A panchayat road from 'Doomadka' enters the block between cairn Nos. 4 and 5 and comes out between cairn Nos. 217 and 218 and goes to 'Santiar'.

(ii) A foot path from 'Darbe' enters the block between cairn Nos. 21 and 22 and gets bifurcated in the middle. One of which comes out between cairn Nos. 207 and 208 and goes to 'Kakekochi'. Another foot path also comes out between cairn Nos. 207 and 208 but this re-enters the block between cairn Nos 210 and 211 and joins the panchayat road which goes to 'Mundithadka', after coming out between cairn Nos. 217 and 218 of the block.

(iii) Another foot path from 'Baleguli' enters the block between cairn Nos. 44 and 45 which gets bifurcated in the middle of the block. One of which comes out between cairn Nos. 184 and 185 and goes to 'Arlapadavu'. Another comes out between cairn No. 194 and 195, which again re-enters the block between cairn Nos. 191 and 192 and comes out between cairn Nos. 189 and 190 and goes to 'Bellimbala'.

(iv) One more foot path from 'Baleguli byle' enters the block between cairn Nos. 69 and 70 and comes out between cairn Nos. 105 and 106 and goes to 'Madaka-mundaje'.

(v) Another panchayat road from 'Golipadavu' enters the block between cairn Nos. 116 and 117 and which comes out between the same cairn Nos. only to re-enter the block between cairn Nos. 115 and 116 and to come out between cairn Nos. 136 and 137. This again enters the block between cairn Nos. 137 and 138 and comes out between cairn Nos. 138 and 139 and goes to 'Para'.

(vi) Another panchayat road from 'Baleguli' enters the block between cairn Nos. 60 and 61, comes out between cairn Nos. 160 and 161 and goes to Santiar. But cart road starts from this panchayat road inside the block and comes out between cairn No. 146 and 147 and goes to 'Neeraje'.

Another branch of road also starts inside the block from this panchayat road which comes out between cairn Nos. 152 and 153 and goes to 'Poyya'.

(vii) One more foot path enters the block between cairn Nos. 56 and 57 and joins the panchayat road which comes out cairn Nos. 160 and 161 and goes to Santiar.

Water Rights

Separate statement in this connection has been enclosed.

Other Privileges

(*a*) Free grazing of cattle by villagers.

(*b*) Free removal of green manure leaves for *bona fide* use by ryots.

(*c*) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 192 FAF 66.]

By Order and in the name of the Governor of Mysore,

j239 M. A. MECCAI, *Under Secy.*

Commerce and Industries Secretariat

NOTIFICATION.

Bangalore, dated 9th October 1967.

S. O. 1988.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act the Government of Mysore are pleased to sanction, the grant to Messrs. Chowgule & Co., (P) Ltd., Goa, of a Mining Lease for twenty years for Iron ore in respect of the area of 300 acres (121-45 hectares) of land in Illiyadabe village, Supa Taluk, North Kanara District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Iron ore only. If other minerals are found in association with Iron ore they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Iron ore he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12–50 per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2–50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The iease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometres.

(*l*) Government shall have the right of purchasing the ore at current market rates.

(*m*) The Lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

[No. CI 91 EMI 67.]

By Order and in the name of the Governor of Mysore,

1261 N. NARAYANASWAMY, *Under Secy.*

FOOD, CIVIL SUPPLIES AND LABOUR SECRETARIAT

ORDER.

Bangalore, dated 6th October 1967.

S. O. 1939—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Bangalore Woollen,Cotton and Silk Mills Company Limited, Bangalore on the points noted below ;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication.

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Sectio n10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

"Is the management of the Bangalore Woollen Cotton and Silk Mills Co. Limited, justified in terminating the services of Sri Venkataramana S/o Muniyallappa with effect from 8th August 1966 ?

If not, is the affected workman entitled to reinstatement with back wages from the date of his termination or any other relief ?

[No. FCL 626 LLD 67.]

By Order and in the name of the Governor of Mysore,

1225 G. G. PUROHIT, *Under Secretary.*

ORDER.

Bangalore, dated 6th October 1967.

S. O. 1990.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Mysore Commercial Union, Yeswanthapur, Bangalore-3 on the points noted below:

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute.

"Is the Management of Mysore Commercial Union, Yeswanthapur, Bangalore-22, justified in terminating the services of Sri Beer Bahadur, Watchman, with effect from 15th January 1966?

If not, is the workman entitled to reinstatement with continuity of service and back wages and/or to any other relief?"

[No. FCL 653 LLD 67.]

By Order and in the name of the Governor of Mysore,

1230 G. G. PUROHIT, *Under Secy.*

NOTIFICATION

Bangalore, dated 10th October 1967.

S.O. 1991.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 and sub-section (2) of Section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) the Government of Mysore hereby revises with effect from 1st November 1967 the minimum rates of wages for the classes of employment in any Cashewnut Industry specified in column (1) of the Schedule as indicated in the corresponding entries in column (2) thereof :—

SCHEDULE

Classes of Employment	All inclusive Minimum rate of wages
(1)	(2)
	Rs. P.
I. Piece Rates—	
1 Shellers	0 15 (per ½ Kg. of shelled whole kernels delivered at the weighing machine).
2 Shellers (Machine) ...	0 15 Do
3 Peelers ...	0 15 (per ½ Kg. of Peeled kernels delivered at the weighing machine).
4 Peeling pieces	0 07 Do
II. Time Rates—(For adults)	
1 Graders ...	2 00]
2 Roasters ...	3 40 |
3 Tinkers ...	4 25 |
4 Stencillers, Packers ...	3 40 \} per day.
5 Bag Carriers, Oil Bath Roasters Dryers, Yard Workers ...	3 40]

1	2
III Watchmen, Peons, Office Boys, Attenders.	3 00 per day
IV. Office Staff— Clerks, Typists, Cashiers, Store-keepers.	120 00 per month

[No. FCL 108 LMW 66.

By Order and in the name of the Governor of Mysore,

1254 R. ANANDAKRISHNA, *Secy.*

ORDER.

Bangalore, dated 16th October 1967.

S.O. 1992.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Kotemotte Estate, Ponnampet Post Coorg District, on the points below ;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute.

"Whether the management of Kotemotte, Estate, belonging to Sri C. K. Poovappa, Ponnampet Post, Coorg District, is justified in dismissing Sri Venkatesh Gownder from Service with effect from 9th January 1967 ? If not is the workmen entitled to reinstatement with back wages and continuity of service, or to any other relief, if any. ?"

[No. FCL 678 LLD 67]

By Order and in the name of the Governor of Mysore,

1263 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated the 16th October 1967.

S. O. 1993.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Mane Hanumantha Rao & Sons (Bhavani Saw Mills) 5, Cottonpet, Bangalore-2, on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute

"Are the workers of M/s. Mane Hanumantha Rao Sons (Bhavani Saw Mills), 5, Cottonpet, Bangalore-2, entitled to the following demands or to any other relief?

1. The Management shall immediately pay the bonus for the year 1964-65 and 1965-66 as per the Payment of Bonus Act.

2. The workmen demand that the usual increments ranging from 2 annas to 8 annas due to be paid in June of this year which has not been so far paid to workers be granted with retrospective effect.

3. The workmen demand the restoration of the free supply of scrap wood to workers which has been stopped after the workers joined the Union.

4. Since there has been no increase made in the rates of wages for the piece-rated employees which were fixed about 10 years back, the wage rates of piece-rated employees be enhanced by 50 per cent, on each article.

5. As there has been a steep rise in the prices of essential commodities and as there is no system of paying D.A. to neutralise the rise in the cost of living, the workmen demand that Dearness Allowance shall be paid to all employees including the piece-rated carpenters at a flat rate of Rupees Forty (Rs. 40) per month.

6. As the undermentioned time-rated and piece-rated employees have put in long years of service ranging from 1 to 15 years, they shall be immediately confirmed in their jobs and made permanent.

Name	*Designation*	*Length of Service*
PLANNING SECTION		
1. Srinivasa	Machine Operator	7 years
2. Giriyappa	Wood Turner	6 years
3. Dodda	Helper	1½ ,,
4. Mahadeva	Helper	1½ ,,
POLISHING SECTION		
5. Syed Ghouse	Polisher	3½ years
6. Venkatagowda	,,	3 ,,
AUTOMATIC BANDSAW		
7. Govinda	Operator	6 years
CARPENTERS ON PIECE-RATE WAGES		
8. Balachari		8 years
9. Govindachari		12 ,,
10. Sadanandam		10 ,,
11. Venkataiah		15 ,,
12. Thammaiah		10 ,,
13. Rama		10 ,,
14. Sowriraju		5 ,,
15. A. S. Jagannath		3 ,,
16. Bacappa		5 ,,
17. Anantha		5 ,,

[No. FCL 590 LLD 67.]

By Order and in the name of the Governor of Mysore,

1265 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated 16th October 1967.

S. O. 1994.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. J & L Industries, Mathikere Village, Near Railway Cross, H.M.T. Main Road, Bangalore-22 on the points noted below;

NOW, THEREFORE, in exercise of the powers conferred by clause (*d*) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Additional Industrial Tribunal at Bangalore.

Points of Dispute

"I. Are the workmen of J & L Industries, Mathikere Village, near Railway Cross, H.M.T. Main Road, Bangalore-22, justified in demanding the following?

1. Bonus for the year 1965-66 under the payment of Bonus Act.
2. A Dearness Allowance at a flat rate of Rs. 30 (Rupees thirty only) per month to all the workers.
3. Two sets of Uniforms to all workers per year.

If not, what reliefs if any the workmen are entitled to?"

[No. FCL 595 LLD 67.]

By Order and in the name of the Governor of Mysore,

1266 G. G. PUROHIT, *Under Secy.*

Finance Secretariat.

NOTIFICATION.

Bangalore, dated 7th October 1967.

S.O. 1995.—In exercise of the powers conferred by sub-section (1) of section 11 of the Central Sales Tax Act, 1956 (Central Act No. 74 of 1956), and in supersession of Notification No. RD 6 CCX 59, dated 10th March 1959 and Notification No. RD 6 CCX 59, dated 28th September 1960, the Government of Mysore hereby specifies the officers mentioned in column (2) of the table below for the purpose of said sub-section within the areas specified in corresponding entries in column (3) thereof.—

TABLE

Sl. No.	Name of officers with Headquarters	Areas
(1)	(2)	(3)
1	Commissioner of Commercial Taxes, Mysore State, Bangalore.	Whole of the State of Mysore.
2	Deputy Commissioner of Commercial Taxes, Bangalore City Division, Bangalore.	Area within the limits of of Bangalore City Corporation.
3	Deputy Commissioner of Commercial Taxes, Bangalore Division, Bangalore.	Bangalore District excluding the area within the limits of Bangalore City Corporation. Kolar District, Tumkur District and Chitradurga District.
4	Deputy Commissioner of Commercial Taxes, Gulbarga Division, Bellary.	Bellary Dist, Raichur Dist. Gulbarga Dist., and Bidar District.

(1)	(2)	(3)
5	Deputy Commissioner of Commercial Taxes, Belgaum Divn. I, Dharwar.	Dharwar District and North Kanara District.
6	Deputy Commissioner of Commercial Taxes, Belgaum Divn. II, Belgaum.	Belgaum District and Bijapur District.
7	Deputy Commissioner of Commercial Taxes, Mysore Division, Mysore.	Mysore District, Mandya District, Hassan District, Chickmagalur District and Shimoga District.
8	Deputy Commissioner of Commercial Taxes, Mangalore Divn., Mangalore.	South Kanara District and Coorg District.

[No. FD 434 CSE 67]

By Order and in the name of the Governor of Mysore

SYED GULAM KHAJA,
Under Secretary to Government,
Finance Department.

1253

Home Secretariat

NOTIFICATION.

Bangalore, dated the 5th October 1967.

S. O. 1996.—In exercise of the powers conferred by rule 316 of the Mysore Motor Vehicles Rules, 1963, the Government of Mysore, (i) being of the opinion that it is necessary in the public interest so to do hereby exempts the following four motor vehicles with left hand drive, belonging to the Special Officer, II T.R.R. Scheme Mundgod, Belgaum from the provisions of sub-rule (1) of rule 246 read with sub-rule (1) of Rule 220 of the said Rules; and (ii) being satisfied that the said vehicles which are having overhang exceeding 45 per cent but not exceeding 51.9 per cent of the wheel base can be used in public place without any danger to public safety, hereby exempts the said vehicles from the provisions of sub-rule (2) of Rule 203 of the said Rules for the purpose of plying them in the State.

Description of the Vehicles.

	Make of the vehicle	*Chassis No.*	*Overhang*
1	Borrioros, Spain. (Goods Vehicle)	395706	51·9 per cent
2	do do	395833	do
3	do do	395836	do
4	do do	395807	do

[No. HD 183 TMA 67.]

By Order and in the name of the Governor of Mysore,

1223 C. Rajanna, *Under Secy.*

NOTIFICATION.

Bangalore, dated 16th October 1967.

S. O. 1997.—In exercise of the powers conferred by sub-section (2) of Section 92 of the Mysore Police Act, 1963 (Mysore Act No. 4 of 1964), the Government of Mysore, hereby extends the provisions of Clauses (*a*), (*c*), (*e*), (*f*), (*g*), (*i*), (*j*), (*k*), (*o*), (*p*), (*t*), and (*u*), of sub-section (1) of the said section to the local area comprised within the limits of Subramanya Village in Sullia Taluk of South Kanara District, for the period commencing from 17th November 1967 to 8th December 1967 (both days inclusive).

[No. HD 490 PCC 67.]

By Order and in the name of the Governor of Mysore,

1268 C. R. SUBBA RAO, *Under Secy.*

NOTIFICATION.

Bangalore, dated 16th October 1967.

S. O. 1998.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Mysore Home Guards Act, 1962 (Mysore Act 35 of 1962), the Government of Mysore appoints Shri L. B. Neelakantaiah, Proprietor, Shri Amrutheswara Band Saw Mills, Chitradurga, as Commandant, Home, Guards, with the jurisdiction over Chitradurga District, for a further period from 31st October 1967 to 31st March 1968.

[No. HD 154 SHG 67.]

By Order and in the name of the Governor of Mysore,

1267 G. S. TELANG, *Under Secretary.*

Health and Municipal Administration Secretariat

CORRIGENDUM.

Bangalore, dated the 17th October 1967.

S. O. 1999.—For the date of Proclamation "dated 12th April 1966" published in the *Mysore Gazette* dated 1st June 1967 at pages 2147 and 2148 and also as S. O. No. 926 dated 3rd June 1967 please substitute "dated 12th April 1967."

[No. LMA 3 TBL 66.]

By Order and in the name of the Governor of Mysore,

1278 K. Abdul Rahim Khan, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

ORDER.

Bangalore, dated 17th October 1967.

S. O. 2000.—Whereas the Government of Mysore are of opinion that an Industrial dispute exists between the Workmen and the Management of Kullappa Spinning Mills, Chitradurga (Mysore State) on the points noted below ;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication :

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"Is the Management of Kullappa Spinning Mills, Chitradurga, justified in terminating the services of the following workers ? If not, are the workers entitled to reinstatement with back wages and continuity of service or to any other relief ?"

Sriyuths :

1. H. Basha Sab, T.No. 112
2. Bheema Reddy, T. No. 133
3. Gangadharappa, T. No. 152
4. Abdul Lathif, T. No. 86
5. Rangappa, T. No. 142
6. Kareem Sab, T. No. 180
7. Hanumanthappa, T. No. 50
8. Abdul Rauf, T. No. 384

[No. FCL 417 LLD 67.]

By Order and in the name of the Governor of Mysore,

1272 G. G. Purohit, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 10th October 1967.

S. O. 2001.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act and as directed by the Government of India under Rule 55 of Mineral Concession Rules 1960, the Government of Mysore are pleased to sanction the grant to Messrs. Shamalsha Girdhari Company, of a Mining Lease for twenty years for Manganese in respect of the area of 25 acres (10.11 hectares) of land in Sulvali Village, Supa Taluk, North Kanara District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(a) Mining Lease should be in respect of Manganese ore only. If other minerals are found in association with Manganese Ore they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese ore he should do so only after the consent of Government is obtained in writing.

(b) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 per hectare per annum, whichever is greater, shall be charged, provided that dead rent shall not be payable for the first year of the lease.

(c) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(d) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(e) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(f) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(g) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(h) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the Ores collected during the Mining operations.

(i) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(j) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(k) The total area held by the lessee under mining leases including the present one shall not exceed 25.9 Sq Kilometers.

(l) Government shall have the right of purchasing the Ore at current market rates.

(m) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(n) The area mentioned above is subject to verification after actual survey ; and

(o) That the lessee shall have no claim for compensation if the area gets submerged in the Kalinadi Hydro Electric Project or the Supa Dam.

[No. CI 104 EMI 66.]

By Order and in the name of the Governor of Mysore,

1262 N. NARAYANASWAMY, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 16th—18th October 1967.

S. O. 2002.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction continuation of affiliation of National Institute of Engineering, Mysore to the Mysore University to run the B. E. Degree course final year class--Civil, Mechanical and Electrical branches in the ratio of 40: 40: 40 with a maximum intake of 120 students to the 1st year for the year 1967-68 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 42 UAC 67].

By Order and in the name of the Governor of Mysore,

1279 S. N. Sreenath, *Under Secy.*

NOTIFICATION

Bangalore, dated 11th —18th October 1967.

S. O. 2003.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Lalbahadur College of Arts, Science and Commerce, Sagar to the Mysore University, for teaching the following courses :—

(i) B. A. Degree (First Year).—

Economics, Sociology(Majors), Philosophy (Minor).
English, Kannada (Majors), History (Minor).
Economics, History (Majors), Sociology (Minor).

(ii) B. A. Degree (II and III Years).

Sociology, Economics (Majors), Philosophy (Minor).

(iii) Pre-University Course: Commerce–History, Economics, Commerce.

(iv) B. Com. Degree (I and II Years).

(v) Pre-University Course Science—

Physics, Chemistry, Mathematics (2 sections of 64 students).
Physics, Chemistry, Biology (2 sections of 64 students).

(vi) B.Sc. Degree (All the three years):

Physics, Mathematics (Majors), Chemistry (Minor) 36 students,

Botany, Zoology (Majors), Chemistry, (Minor) 36 students.

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 81 UAC 67.]

By Order and in the name of the Governor of Mysore,

1280 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 15th-18th October 1967.

S. O. 2004.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act 1967, the Government of Mysore are pleased to sanction continuation of affiliation of the Shri Mahaveera College, Moodbidri to the Mysore University for teaching the following courses for the period noted against each :—

(i) Pre-University Course (Arts) for 3 years from 1967-68 :—

History, Economics, Political Science.

(ii) Pre-University Course (Commerce) for 1967-68, History, Economics, Commerce.—

(iii) Pre-University Course (Science) for 1967-68.—

Physics, Chemistry, Mathematics } One Section of 72
Physics, Chemistry, Biology } students each.

(iv) B.A., Degree (1st Year) for 1967-68.

Economics, History, (Majors), Political Science (Minor).—

Economics, History, (Majors) Sociology (Minor).

(v) B. Com. Degree (1st year) for 1967-68.

(vi) B. Sc., Degree (1st Year) for 1967-68.—

Physics, Chemistry (Majors), Mathematiecs (Minor) 36 students.—

Botany, Zoology (Majors), Chemistry (Minor) 36 students.

and extension of affiliation for the following courses for the year 1967-68:—

(i) B. A. Degree (2nd Year) :

Economics, Histry (Majors), Sociology (Minor).

(ii) B. Com. Degree (2nd Year).

(iii) B. Sc., Degree (2nd Year).—

Physics, Chemistry (Majors), Mathematics (Minor) 36 students.

Botany, Zoology (Majors), Chemistry (Minor) 36 students.

subject to the conditions laid down by the Local Inquiry Committee.

[No ED 96 UAC 67.]

By Order and in the name of the Governor of Mysore,

1288 S. N. SREENATH, *Under Secy.*

Education Secretariat.

NOTIFICATION

Bangalore, dated 15—18th October 1967

S.O. 2005.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction permanent affiliation of the Government College, Mangalore to the Mysore University to run the Pre-University Course in Commerce with History, Economics and Commerce and Geography, Economics and Commerce combination with effect from 1967-68 and temporary affiliation to teach the following courses for the period noted against each :—

(i) Pre-University Course (Arts) for the year 1966-67 and a further period of three years from 1967-68 History, Economics and Geography (64 students)

(ii) Pre-University Course (Commerce) for 1967-68 Mathematics, Economics, Commerce.

(iii) B. Com Degree Course (All the three years for 1967-68

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 78 UAC 67.]

By Order and in the name of the Governor of Mysore,

1281 S. N. Sreenath, *Under Secretary.*

REVENUE SECRETARIAT.

CORRIGENDUM.

Bangalore, dated 11th October 1967.

S. O. 2006.—In Government Notification of even number dated 27th July, 1967 for the WORDS and FIGURES "Notification No. 17/B1/31/7/51, dated the 9th April, 1963," the words and figures "Notification No. 17/B1/31/7/51 dated 9th April, 1953," shall be substituted.

[No. RD 143 ERG 66.]

By Order and in the name of the Governor of Mysore,

1270 V. NANJIAH, *Under Secy.*

Home Secretariat

NOTIFICATION.

Bangalore dated 16th October 1967.

S. O. 2007.—In exercise of the powers conferred by Section 3 of the Mysore Excise Act, 1965 (Mysore Act No. 21 of 1966), the Government of Mysore hereby appoints the Prohibition Commissioner in Mysore, Bangalore as the Excise Commissioner in Mysore, Bangalore.

[No. HD 54 EFL 67.]

By Order and in the name of the Governor of Mysore,

1271 N. Lakshman Rau, *Secretary.*

Food, Civil Supplies and Labour Secretariat

ORDER.

Bangalore, dated 16th October 1967.

S. O. 2008.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of Hindustan Machine Tools Ltd, Watch Factory H. M. T. P. O., Bangalore-31, on the points noted below ;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by clause (*c*) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore, hereby refer the said dispute for adjudication to the Labour Court at Bangalore.

Points of Dispute.

"Is the Management of H. M. T. Watch Factory, Bangalore-31, justified in terminating the services of Smt. S. Sharada, Ticket No. 11807, Production Department, Assembly Section of the Watch Factory with effect from 26th May 1965 ?

If not, what relief the workman is entitled to ?"

[No. FCL 318 LLD 67.]

By Order and in the name of the Governor of Mysore,

1264 G. G. Purohit, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

ORDER

Bangalore, dated the 17th October, 1967.

S. O. 2009.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Pompei Rosario Weaving Establishment, Bendoorwell, Mangalore on the points noted below;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (*d*) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal, at Bangalore.

Points of Dispute.

"Is the Management of M/s. Pompei Rosario Weaving Establishment, Bendoor Well, Mangalore-2 justified in not granting Bonus to their Employees for the years 1964 and 1965 at 12½ per cent of the Gross earnings for each year as claimed by the Union;

If not, to what quantum of bonus are the workers entitled to for the above said two years"?

[No. FCL 622 LLD 67.]

By Order and in the name of the Governor of Mysore,

1274 G. G. Purohit, *Under Secy.*

EDUCATION SECRETARIAT

NOTIFICATION

Bangalore, dated 15–18th October 1967.

S. O. 2010.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction continuation of affiliation of the Government College of Education, Jamkhandi to the Karnatak University for teaching the B. Ed. courses for a period of three years from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 101 UAC 67.]

By Order and in the name of the Governor of Mysore,

1286 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 15—18th October 1957.

S. O. 2011.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the Kasturba Medical College, Manipal to the Mysore University, for teaching the following courses for the period noted against each:—

(i) Pre Professional Course in Medicine with an intake of 100 students.	For two years from 1967-68 (*i. e.* 1967-68 and 1968-69)
(ii) Second and Third M. B. B. S. according to Karnatak University Scheme.	
(iii) Condensed M. B. B. S. Course with an intake of 30 students	
(iv) First year B. D. S. course with an intake of 30 students.	
(v) I and II years of the B. Pharma Course with an intake of 30 students.	For 1967-68

and extension of affiliation for teaching the following courses.—

(i) II year of the B. D. S. course for 1967-68.

(ii) II M. B. B. S. course (According to Mysore University Scheme for two years *i. e.*, 1967-68 and 1968-69.)

(iii) III year of the B. Pharma Course for 1967 68.

subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 71 UAC 67.]

By Order and in the name of the Govrenor of Mysore,

1236 S. N. SREENATH, *Under Secy.*

FINANCE SECRETARIAT

CORRIGENDUM

Bangalore, dated 17th October 1967.

S. O. 2012.—In Government Order No. FD 270 CSE 67, dated 25th August 1967, the figure "VII" in para 1 and the Figure "VII" in para 2 may be substituted for the figure "VIII" in para 1 and the figure "III" in para 2, respectively.

[No. FD 270 CSE 67.]

By Order and in the name of the Governor of Mysore,

1323 SYED GULAM KHAJA, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 16th October 1967.

S. O. 2013.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949) the Government of Mysore are pleased to sanction continuation of affiliation of the Shri Kadasiddheshwar Arts and H. S. Kotambri Science Institute, Hubli to the Karnatak University, for teaching the following courses :—

(i) Pre-University Arts and Science

(ii) B. A., Part I.

(iii) B. A., Parts II and III with

Major Kannada, English, Economics, History and Political Science

Minor Kannada, English, Economics, Political Science, Psychology, Sociology, Urdu, Marathi, Persian and Sanskrit

and extension of affiliation for teaching

(i) B Sc., Part I

(ii) B. A., Parts II and III with

Minor History

for a period of three years from June 1967 subject the conditions laid down by the Karnatak University.

[No. ED 93 UAC 67.]

By Order and in the name of the Governor of Mysore,

1287 S. N. Sreenath, *Under Secy.*

HOME SECRETARIAT.

NOTIFICATION.

Bangalore, dated 11th October 1967.

S.O. 2014.—In exercise of the powers conferred by sub-section (1) of Section 16 of the Mysore Motor Vehicles Taxation Act, 1957 Mysore Act 35 of 1957), the Government of Mysore, being of the opinion that it is necessary in public interest so to do, hereby reduces the tax payable under the said Act in respect of stage carriages plying on the route specified in column (1) of the table below to the extent and for the period specified in column (3) respectively of the table.

TABLE.

Route	Tax payable per quarter per seat	Period
1	2	3
	Rs	
Deodurg to Bandoli *via* Anjala, Hirundi, Kardigud Jalahalli, Yergud, Chincholi and Bankaldoddi.	22-50	For a period of two years from 15th December 1966 or till the road is taken over by the Public Works Department whichever is earlier.

[No. HD 118 TMP 66.]

By Order and in the name of the Governor of Mysore,

1293 C. RAJANNA, *Under Secy.*

Home Secretariat

NOTIFICATION.

Bangalore, dated the 9th—11th October 1967.

S. O. 2015.—In pursuance of sub-clauses (a) and (c) of sub-rule 2 (ii) of Rule 404-A and Rule 405 of the Bombay Jail Manual as in force in the Bombay Area, the Government of Mysore hereby appoint the following persons to be the non-official visitors to the Central Prison, Belgaum, for a period of two years from the date of appointment :—

1. The Administrator, Belgaum City Municipality.
2. Shri S. I. Guttigoli, B.A., LL.B., Pleader, Belgaum.
3. Shri C. L. Pattanshetti, B. A., Raviwarpeth, Belgaum.
4. Shri M. K. Kamoji, Rtd. Asst. Commr. Jalagar-Galli, Belgaum.
5. Smt. S. M. Badha, Camp Belgaum.
6. Smt. Sumatibai Patil, Pleader, Tilakwadi, Belgaum.
7. Shri N. I. Chimade, M.A., LL.B., Hon. Secretary, The Belgaum District Probation and After-care Association.

[No. HD 68 PRA 67.]

By Order and in the name of the Governor of Mysore,

1269 V. A. Gumaste, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT.
(LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Bharath Plywood and Timber Products Ltd., Mangalore.

Award of the Labour Court Hubli.—Published.

Read the following papers :—

(1) Letter No. 1450/67-68, dated 5th October 1967, from Shri Syed Azizuddin Ahamed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 5th October 1967.

Reference.
(ID) (LCH) No. 41 of 67.

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L. Presiding Officer,

Between

The Workmen of Bharath Plywood and Timber Products Ltd., Mangalore represented by The Secretary, Karnataka Mills Workers' Union Maidan Cross Road, Mangalore

I Party.

and

The Management, Bharath Plywood and Timber Products Ltd., Mangalore

... *II Party.*

This is a reference under section 10 (1) (c) of the Industrial Disputes Act, 1947, made by the Government of Mysore, in their Order No. LMA 337 LLD 67, dated 6th June 1967. The Points of dispute referred for adjudication are as under:—

I. Are the 2 female workers (mentioned in the demand notice dated 19th May 1965 of the Karnataka Mill Worker's Union, Mangalore) of Messrs. Bharat Plywood and Timber Products (Private) Ltd., Mangalore, entitled to the increase in Wages as set forth in the 2 agreements dated 1st May 1962 and 29th June 1964?

II. If not, to what other relief are they entitled?

2. The cause of the aggrieved workmen has been sponsored and espoused by The Karnataka Mill Workers' Union, Maidan Cross Road, Mangalore represented by its Secretary. Sri T. P. Rao. Secretary appeared for the I Party while Sri Bhaskara, Manager appeared for the II Party.

3. In response to the notices issued by the Court, the parties, having compromised the dispute, sent a Joint Memorandum of settlement. The case was taken up for hearing at Mangalore camp on 22nd September 1967 and the Joint Memo of Settlement dated 17th August 1967 was duly veryfied by me. As per the memo of settlement, the management has agreed to pay a special increment of Re. 0-10 per day inclusive of D.A. to Smt. Bridgitha Veigas, the only woman worker now in the service of the company from 1st August 1967. The I Party has agreed to withdraw all their demands in the above dispute.

AWARD

The reference is accepted. An award is made in terms of the Joint Memo of Settlement, dated 17th August 1967. The same be made a part of the award. The parties shall bear their own costs.

Place.—Hubli

Dated.—5-10-1967

SYED AZIZUDDIN AHMED,
Presiding Officer, Labour Court, Hubli.

ANNEXURE

BEFORE THE LABOUR COURT, HUBLI.

Reference.

(ID) (LCH) No. 41 of 1967.

Between

The Workmen of the Bharat Plywood and Timber Products Private Ltd., Mangalore, represented by the Secretary, The Karnataka Mill Workers' Union, Maidan Cross Road, Mangalore ... ***First Party.***

and

The Management, The Bharat Plywood and Timber Products Private Ltd., Mangalore

Second Party.

Joint Memo.

The parties of the above dispute beg to submit that they have amicably settled the present dispute under reference as per the following terms :

1. The management agreed to pay a special increment of Re. 0-10 p. per day inclusive of Dearness Allowance to Srimathi Bridgitha Veigas the only woman worker now in the services of the Company at present, from 1st August 1967.

2. The I Party Union agreed to withdraw all their demands in the above dispute. Therefore both the parties pray that the Honourable Court be pleaded to pass an award as per the terms of settlement.

Dated this 17th Day of August, 1967.

(Sd.)
For Karnataka Mill Workers' Union.
I Party.

(Sd.)
For Management, II Party.

Sri T. P. Rao, Secretary of the 1st Party Union and Sri V. Bhaskara, Manager of the 2nd Party are present. The joint memo of settlement was duly verified by me. They admitted before me its execution.

(Sd.)
Presiding Officer,
Labour Court, Hubli.
22-9-1967

(Sd.) V. Bhaskara
(Sd.) T. P. Rao
22-9 1967.

Place.—Hubli

Date.—5-10-1967.

SYED AZIZUDDIN AHMED,
Presiding Officer, Labour Court, Hubli.

ORDER.

Bangalore, dated 11th October 1967.

S.O. 2016.—WHEREAS by State Government Order No. LMA 337 LLD 67, dated 6th June 1967, the Industrial Dispute between the Workmen and the Management of Bharath Plywood and Timber Products Ltd., Mangalore was referred to the Labour Court, Hubli fo adjudication ;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 337 LLD 67.]

By Order and in the name of the Governor of Mysore,

1277 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Mysore State Electricity Board, Bangalore.

Award of the Additional Industrial Tribunal, Bangalore—published.

Read the following papers :—

(i) Letter A.I.T. No. 609-10/67-68, dated 19th October 1967 from Shri V. C. Ramachandran, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 17th October 1967

Present :

Sri V. C. Ramachandran, B.A., B.Sc., A.R.C.S., Bar-at-Law,
Presiding Officer.

A.I.D. No. 34 of 1966

I.D. No. 48 of 1965.

First Party—

The Workmen of Mysore State Electricity Board, Bangalore.

Second Party—

The Management of Mysore State Electricity Board, Bangalore.

A.I.D. No. 35 of 1966

I.D. No. 38 of 1966.

First Party—

The Workmen of Mysore State Electricity Board, Bangalore.

Second Party—

The Management of Mysore State Electricity Board, Bangalore.

A.I.D. No. 14 of 1966

I.D. No. 104 of 1966.

First Party—

The workmen of Mysore State Electricity Board, Bangalore.

Second Party—

The Management of Mysore State Electricity Board, Bangalore.

APPEARANCES

For the First Party—Sri K. Subba Rao, Advocate, Avenue Road, Bangalore.

For the Second Party—Sri B. R. Puttananjappa, Mysore State Employers' Association, Bangalore.

REFERENCES

A.I.D. No. 34 of 1966—No. PLM 323 LLD 65, dated 27th October 1965.

A.I.D. No. 35 of 1966—No. PLM 323 LLD 65, dated 25th February 1966.

A.I.D. No. 14 of 1966—No. LMA 20 LLD 66, dated 18th April 1966.

AWARD

These three References are in respect of Industrial disputes between the same Parties, *viz.*, the Workmen and the Management of the Mysore State Electricity Board, Bangalore. All the three References were referred to the Industrial Tribunal in Mysore, Bangalore, under Section 10(1) (d) of Industrial Disputes Act, 1947, by the Government of Mysore in their Orders Numbers as noted below, for adjudication.

A.I.D. No. 34 of 1966—No. PLM 323 LLD 65, dated 27th October 1965.

A.I.D. No. 35 of 1966—No. PLM 323 LLD 65, dated 25th February 1966.

A.I.D. No. 14 of 1966—No. LMA 20 LLD 66, dated 18th April 1966.

Subsequently by Order No. LMA 595 LLE 66, dated 29th November 1966, dated 17th December 1966, the Government withdrew the proceedings from the file of the Industrial Tribunal and transferred them to this Tribunal for disposal. All the three disputes relate essentially to the service conditions of that category of employees of Mysore State Electricity Board who are known as 'Daily-rated employees', 'Temporary Employees' and 'Tentative Employees'. As common questions of fact and law arise in all these three disputes, I propose to make one Award in respect of all these disputes a copy of which will be filed along with the records of other cases.

2. The points of disputes referred by Government are :—

(1) Whether the temporary employees of the Mysore State Electricity Board are entitled to the benefits of enhanced Dearness Allowance as contemplated in the Agreement dated 30th March 1962 and whether the Management is justified in depriving them all the benefits of that Agreement ?

(2) Whether the workmen are justified in demanding enhanced Dearness Allowance to the temporary employees of the Mysore State Electricity Board even if they are not entitled to it under the Agreement dated 30th March 1962 ?

(3) Whether the temporary employees who have put in a service of 240 days and more should be made permanent,

(4) Whether the workmen are justified in demanding that the rate of promotion of Graduates and non-graduates to the higher grades in the technical cadre should be in in the ratio of 3 : 2 ? and

(5) to what reliefs the workmen are entitled to even otherwise.

3. The Mysore State Electricity Board was constituted by the Government of Mysore and it came into existence on 30th September 1957. Except for those persons who were working in connection with the Hydro-Electric Construction Projects and Electrical Inspectorate all the other employees under the Government of Mysore in the Electrical Department prior to the formation of Mysore State Electricity Board were taken over by the Electricity Board. There were at that time about 5,000 temporary daily-rated employees working on the maintenance Section such as mechanics, linemen, helpers, pole-climbers, both skilled and unskilled who had come under the administrative control of the Mysore State Electricity Board. During the last 10 years or so, the number of such

temporary employees working under the Board had increased and the present number is about 13,000 due to the expanding activities of the Board and the failure of the Board to employ permanent workers or to absorb them into the permanent cadres. The Board originally paid wages as well as Dearness Allowance to the temporary employees, but the Management unilaterally revised the wage-structure and paid consolidated wages from 1960 to the temporary employees which included Dearness Allowance. The Union protested against the unilateral action of the Board and negoitations took place between the Union and the Board. As a result of these negotiations, a settlement was reached and a Memorandum of Settlement was drawn up under which the Board agreed to extend all benefits which may be granted by way of policy to the advantage of the employees of the Board.

4. The Government of Mysore sanctioned enhanced Dearness Allowance to their employees with effect from 1st April 1963 and that enhancement was adopted by the Board to the monthly paid employees under them. The Board failed to give enhanced Dearness Allowance to the temporary or daily-rated employees although the Board revised the Dearness Allowance on three occasions, once in 1963, another in 1964 and the third in 1965 in accordance with the order of the Government enhancing the Dearness Allowance to its own employees. The case of the workers is that under the settlement, they are entitled to the enhanced Dearness Allowance which has been granted to the other employees of the Board by virtue of the settlement under which the Board was obliged to pay them whatever benefits they had conferred on other employees of the Board. The Union brought it to the notice of the Board on several occasions, but the Management did not comply with their request saying that the matter was still under consideration. The Union then approached the Labour Commissioner for initiation of Conciliation Proceedings in respect of the Dearness Allowance and other benefits to the Daily-rated employees. The conciliation proceedings ended in failure and a failure report was sent to the Government. The Government then referred the matter for adjudication. The workmen contend that they are entitled to the enhanced Dearness Allowance which is paid to the other employees under the Board by virtue of the settlement entered with the Management on 30th March 1962.

5. The I Party submit that even if for any reason they are not entitled to the enhanced Dearness Allowance under the Agreement, they are certainly entitled to the enhanced Dearness Allowance as is being paid to the other category of workmen on account of increase in the cost of living which is rapidly rising since 1960. The wages for these daily-rated workmen had not been revised since

1960 and dearness allowance had not been paid to them and hence they are entitled to the demand for Dearness Allowance at least partially to neutralise the rising of the cost of living. They are also entitled to the increased Dearness Allowance on the ground that they should not be discriminated, as discrimination between different category of employees on the same establishment leads to strife, disharmony and heart-burning resulting in industrial unrest. The Board has the capacity to pay the Dearness Allowance as demanded and as these temporary employees are the lowest paid workmen, it is submitted that they are entitled to the benefit of increased dearness allowance which is given to other employees of the Board.

6. The daily-rated employees have put in service ranging from one year to fifteen years continuously without any break and in spite of such continuous service, the Board has not made them permanent denying them the security of service. Besides, these daily-rated employees have been denied the benefits of leave, festival holidays, medical relief, retirement benefits, etc., which are given to the other employees of the Board. In those circumstances, the workmen contend that permanency of service should be secured to the temporary employees provided they have put in more than 240 days of continuous service in a year. They should be given the same emoluments as other workmen doing the same job. The workmen further submit that refusal to make these temporary workmen permanent in spite of their continuous service is tantamount to unfair labour practice and exploitation and to deprive them of all the benefits of the permanency is against all cannons of social justice. The workmen, therefore, submit that their demand for permanency of service and other benefits to the daily-rated employees is reasonable and legitimate. The work performed by the daily-rated employees is of a peermanent nature. The generation, transmission and distribution of electricity are works of permanent nature and almost all the daily-rated employees are engaged in work of that kind. There is no difference in the nature of work done by the daily-rated employees and the permanent employees and it is highly discriminatory to treat them in different way. The workmen submit that their demand to make the daily-rated employees who have put in 240 days of continuous service as permanent employees is reasonable and legitimate and they are entitled for an award in terms of their demand.

7. There is a further demand that the ratio of promotions between the Graduates and Non-Graduates which has been fixed to be 3 : 2 has not been terminated by due notice and the benefits derived by the workmen under it are not extinguished. In spite of the Settlement, the workmen allege that the Board has changed the ratio of promotions between the Graduates and non-graduates to the cadre of sub-engineers and Assistant Engineers. The Board has

now proposed an amendment to the recruitment rules according to which 25 per cent of the posts of the Assistant Engineers are to be filled by direct recruitment from outside the Board's service and out of the balance of 75 per cent, 45 per cent to be filled up by promotions from the Graduate cadre and the remaining 30 per cent from the cadre of supervisors resulting in the ratio of promotions between the Graduates and the Non-Graduates being changed to 7 : 3 which prejudicially affect the supervisors. Because of this change, the prospects of promotions of supervisors who have acquired considerable experience are being denied. The workmen pray that an award be passed directing the management to keep the ratio of promotions between the Graduates and the non-graduates as 3 : 2. The workmen filed an additional claim statement in which they seek for making the clerical staff also who have put in 240 days of service in a year permanent.

8. The Management of the Mysore State Electricity Board which is referred to as "The Board" have resisted all the demands put forward by the workmen. They contend that they had never committed themselves under the Agreement, dated 30th March 1962 that they are agreeable to pay the enhanced Dearness Allowance to the temporary employees. The settlement is not one contemplated under Section 2(*p*) of the Industrial Disputes Act as necessary requirements have not been complied with. The conditions of service of the temporary employees have been different from those of the permanent employees. Under the Agreement, dated 30th March 1962, it was understood that from 16th November 1960 onwards the daily-rated employees would be entitled to only consolidated wages which include the Dearness Allowance and hence there is no basis for the claim of the I Party that there should be any enhancement in the dearness allowance payable to the temporary employees. As it was not the policy of the Board to extend the benefit of the enhancement of Dearness Allowance to the temporary employees, the II Party cannot be compelled to pay by virtue of any provision in the agreement to extend the same to its temporary employees.

9. The Management submits that there is no industrial dispute so far as the Reference for Dearness Allowance, irrespective of the agreement and, therefore, this Tribunal has no jurisdiction to adjudicate upon it. The reference itself, according to the Management, is vague and as consolidated wages had been paid to the daily-rated workmen, the question of payment of Dearness Allowance or enhancement of Dearness Allowance does not arise. The monthly-rated workmen had been getting basic pay and dearness allowance separately while the daily-rated workers are being paid consolidated wages from 1960, that they have been given increments periodically

and that their wages are fixed on the basis of the prevailing rates of wages in the concerned area. Hence the management submits that the question of payment of Dearness Allowance does not arise. The demand is belated and any payment can only take effect from the date of the Reference and not on any prior date.

10. The Management denied that the daily-rated workers are engaged in maintenance jobs. It is only the permanent monthly-rated staff who are engaged in maintenance work and the daily-rated workers look after the construction and seasonal jobs which are of casual nature. There is no exploitation as their wages are being fixed by the Superintending Engineers based on wage levels prevailing in that locality. Whenever vacancies arise in permanent posts, the seniormost daily-rated workers are absorbed subject to the prevailing rules of recruitment. Hence the demand that all workers who have put in 240 days should be made permanent is neither justified nor feasible.

11. There is no dispute whatsoever in maintaining the ratio of promotions as between the graduates and non-graduates at 3 : 2. The I Party, however, seems to have taken objection to direct recruitment to the cadres of sub-engineers and assistant engineers and that is a dispute which has not been referred for adjudication and hence this Tribunal has no jurisdiction to give an award. Besides, promotions are purely managerial function, entirely at the discretion of the management and cannot be imposed upon by the Award of the Industrial Tribunal. The II Party submits that the demand of the I Party for interfering in the percentage of direct recruitment has to be rejected.

12. In view of the above pleadings, by the Parties, certain additional Issues have been framed apart from the points of disputes referred to already. They are as follows :—

"(1) Whether the settlement dated 30th March 1962 is not a settlement as contemplated under Section 2 (*p*) of the Industrial Disputes Act and therefore, not binding under Section 18(1) of the Act ?

(2) Whether the benefits of the Settlement dated 30th March 1962 are available to the Parties thereto ?

(3) Whether the Policy of the Board was not to extend the benefits of the enhanced Dearness Allowance to the temporary employees of the Board ?

(4) Whether there was no industrial dispute with regard to the demand for enhanced Dearness Allowance and whether this Tribunal has no jurisdiction to adjudicate upon it ?

(5) Whether the points of dispute specified in the Order of Reference with regard to the Dearness Allowance are vague and as such the Reference is liable to be rejected ?

(6) Whether the claim for enhanced Dearness Allowance to the daily-rated temporary workers from 1962 is belated and cannot be gone into in this reference ?

(7) What is the date from which the enhanced D.A. if any to be given effect to ?

(8) Are the daily-rated workmen employed in maintenance work and other works of permanent nature as pleaded by the I Party ?

(9) Has the II Party broken the terms of settlement dated 30th March 1962 by resorting to recruitment of 15 per cent of graduates directly and thus changed ratio of promotion from 3 : 2 to 7 : 3 ?

(10) Are the members of the Clerical and Executive staff to be treated as permanent in the same factory as the daily-rated workers ?

(11) To what reliefs are the I Party workmen entitled ?"

13. The main controversy in this Reference are only two-firstly as to whether the daily-rated employees of the Mysore State Electricity Board are entitled to Dearness Allowance and secondly whether the daily-rated employees as well as the tentative clerical employees of the Mysore State Electricity Board are entitled to be absorbed into the permanent cadres. All the other Issues are not as important as these two and in any case as they are concerned with the jurisdiction of this Tribunanl to adjudicate upon the main controversy, I propose to deal with them first before going to the merits of the disputes.

14. The management contends that this Tribunal has no jurisdiction to decide the points at Issue on various grounds, firstly, that there was no industrial dispute with regard to the claim for Dearness Allowance and hence the Reference is bad, secondly that the points of dispute specified in the Order of Reference are vague and as such, the Reference is liable to be rejected and thirdly that the claim for enhancement of Dearness Allowance to the daily-rated employees is belated and lastly this Tribunal has no jurisdiction to adjudicate on the question of direct recruitment.

15. It is common ground between the Parties that eversince the settlement was entered into between the Management and the Workmen in 1962, the I Party Union has been agitating for payment of Dearness Allowance to the daily-rated employees as has been granted to the permanent employees. The matter was taken up for

conciliation before the Commissioner of Labour where the conciliation proceedings with regard to the Dearness Allowance had taken place which resulted finally in failure. The Mysore State Electricity Board Union had made demands subsequent to expiry of the Settlement in 1965, one of the demands being the payment of the Dearness Allowance to the Daily-rated employees. In view of the agitation carried on by the Union for Payment of Dearness Allowance to the daily-rated employees and for their absorption into the permanent cadres, it seems to me idle for the management to contend that there has been no industrial dispute. I shall refer to the correspondence Ext. W. 20 in which it is stated that the benefit of increased rate of Dearness Allowance is not extended to the temporary labourers and as the cost of living is very high and the employees are hard-hit, it is not known how the temporary labourers in the industry are better placed and that they should be contented with the minimum wage of Rs. 1.25 P. per day all found, in view of such high cost of living. In view of the correspondence and the negotiations that had taken place, it cannot be denied that there was an industrial dispute with regard to the dearness allowance and absorption of the daily-rated employees and hence the Government was justified in making a Reference as conciliation proceedings ended in failure, nor is there anything vague in the demand of the I Party with regard to the Dearness Allowance of the daily-rated employees as their claim throughout has been that they should be treated on par with the permanent employees of the Board. In those circumstances, the Reference is valid and is not vitiated by any infirmities nor is there any ground in support of the contention of the management that there has been belatedness in the demand for Dearness Allowance as the I Party has been repeatedly making the demand even at and before the time of the Reference.

16. There is, however, one matter about which the jurisdiction of this Tribunal to adjudicate could be successfully assailed. The Demand of the workmen is that the ratio of promotion of graduates and non-graduates to the posts of Assistant Engineers or Sub-Engineers, should be in the proportion of 3 : 2. According to the settlement between the Parties, the proportion of the promotion was fixed at 3 : 2 under clause 5 of the Memorandum of Settlement dated 30th March 1962. The ratio of promotion of graduates and non-graduates to the grades of Sub-Engineers and Assistant Engineers will be in the proportion of 3 : 2, *i.e.*, for every three graduates promoted, two non-graduates will be promoted. The case of the management is that the promotion in that proportion have been strictly adhered to, and that eversince the date of Settlement, for every 3 graduates promoted to the posts of Sub-Engineers and the Assistant Engineers, two non-graduates who were Supervisors had been promoted and therefore, there was no variation or failure to implement the settlement. The I Party also admits that promotion to the grades

of Sub-Engineers and the Assistant Engineers from Junior Engineers and Supervisors has been in the proportion of 3 : 2. Hence there could be no industrial dispute at all with regard to that matter. The point of dispute referred to this Tribunal is whether the workers of the Mysore State Electricity Board, Bangalore, justified in demanding that the rate of promotion of graduates and non-graduates to the higher grades in the technical cadre should be in the ratio of 3:2. Both the Parties have agreed that, that is the ratio contemplated under the Memorandum of Settlement and that is the ratio which has been followed in promoting the Junior Engineers and the Supervisors to the higher grades of Sub-Engineers and Assistant Engineers. The learned Counsel for the First Party argued that the management have recently introduced in the year 1966, long after the Reference, a new rule under which they could recruit directly 25 per cent of the Assistant Engineers as a result of which, the number of posts available for promotion from Junior Engineers and Supervisors to the posts of Assistant Engineers have been reduced, to 75 per cent and at present 45 per cent of the vacancies of the Assistant Engineers are available by promotion to the Junior Engineers and only 30 per cent of the vacancies are available to the Supervisors and therefore, out of the vacancies of Assistant Engineers, the proportion of graduates to non-graduates will be not as 3:2 but 7:3, *i.e.*, for every 7 graduates taken as Assistant Engineers only three supervisors are promoted to that post. Therefore, it is argued the ratio agreed to under the Settlement has been considerably altered. In my view, the contention of the learned Counsel for the First Party is a matter which is not covered by the Points of Dispute referred to this Tribunal. I am only called upon to adjudicate as to whether the ratio of promotion between Graduates and non-graduates should be 3:2 and on that Issue there is absolutely no controversy because the Management accepts the promotion between the Graduates and the non-graduates should be in the ratio of 3:2 and that they have been following that ratio in the promotions granted to those who are in service under the Second Party from out of Graduates and non-graduates. The learned Counsel wants me to adjudicate upon the question as to whether the Mysore State Electricity Board is justified in recruiting 25 per cent of the Assistant Engineers directly from the open market, but that is an Issue which is not referred to me and therefore, in my view, I have no jurisdiction to decide that question. Besides, recruitment to any posts is purely the managerial function and it is not open to this Tribunal to decide how recruitment should take place. There are indeed very many reasons why a certain percentage of officials in the Board should be by direct recruitment. It often happens that the brilliant engineers would not be willing to start at a lower scale and would look to other private enterprises which may offer them better conditions of service. The Board should also have first class men on the staff and that is possible only by direct recruitment. In any case, it is not for me

to say as to how the Board should recruit its officials. I can only consider the question of promotions from those already working in the Board and so far as that matter is concerned, there has been no violation of the principles enunciated in the Memorandum of Settlement, *i.e.*, for every three promotions of graduates to the post of the Assistant Engineers or the Sub-Engineers, there must be two promotions from the grade of supervisors who are non-graduates. My finding, therefore, is that the increase in percentage of direct recruitment is not covered by the present reference and this Tribunal has no jurisdiction of adjudicate upon that dispute and that Second Party has not broken the terms of settlement dated 30th March 1962 by resorting to recruitment of 25 per cent of graduates directly and has not changed the ratio of promotions from 3:2 to 7:3.

17. Having disposed of the preliminary Issues with regard to the jurisdiction of the Tribunal, we may now concentrate upon the main Issues which, as stated before, are only two. One regarding the Dearness Allowance to the Temporary or daily-rated employees and the other with regard to the absorption. Before going into the matter, it may be necessary to recall the history of the Mysore State Electricity Board. Originally, in Mysore State, all the electrical undertakings were carried on by the Government itself. It was responsible for generation, transmission and distribution of Electricity. The Government issued a notification on 27th September 1957 constituting the Mysore State Electricity Board, as per Ext. W. 1, those who were in service under the Government Electrical Department except for certain staff connected with the construction of projects, were transferred to the Board on the understanding that they will be entitled to the same conditions and privileges which they had enjoyed while they were in the electrical department. Among those who were transferred from the Government Electrical Department to the Mysore State Electricity Board were apart from the permanent staff and workers, the daily-rated workers who had been employed as mechanics, wiremen, linemen, helpers, pole climbers both skilled and unskilled. The number of such daily-rated employees at that time in 1957 was only about 5,000. After the Board took up the Electrical Department from the Government of Mysore, its activities considerably expanded with the result that they had to increase the strength of their employees to cope up with ever increasing work with the result that to-day, they are said to be between 13,000 to 15,000 daily-rated employees working under the Board. The daily-rated employees were paid wages and dearness allowance only up to the year 1960 when the Management unilaterally started paying them what they called the 'consolidated Wages' which is inclusive of the Dearness Allowance. There was discussion between the Union and the Management and finally they reached a settlement dated 30th March 1962 under which the wages of the daily-rated employees had

been fixed. Further a clause was added to the settlement that the Board agreed not to curtail or withdraw any of the existing facilities of the above benefits or declare lock-out during the said period of three years, but shall extend all benefits that the Board may grant by way of policy to the advantage of the employees of the Board. Subsequent to the Memorandum of Settlement, the Board had enhanced the Dearness Allowance to its permanent employees, on not less than five occasions while no dearness allowance was paid to the daily-rated workmen. The case of the workmen is that by virtue of the Memorandum of Settlement under which the management is under the obligation to extend the benefits given to the permanent workmen to the daily-rated employees. The daily-rated workmen should be given the same dearness allowance as paid to the permanent staff also to the temporary labourers. Alternatively, the workmen contend that they are entitled to Dearness Allowance as the cost of living has arisen enormously during the last five years and that they should be given such dearness allowance which would neutralise the rising cost of living.

18. I shall take up the first stand of the workmen as to whether the daily-rated employees are entitled to the dearness allowance paid to the permanent staff under the Settlement, dated 30th March 1962. The settlement itself is a valid settlement as necessary formalities had been complied with. Even otherwise, it is an agreement which is signed by the Parties copies of which have been sent to the appropriate Government and the Conciliation Officer. It is, therefore, binding on the Parties, *viz.*, the Mysore State Electricity Board Employees' Union and the Management of the Mysore State Electricity Board. According to that settlement its object is to maintain harmonious relationship between the employees and the Board, to promote the stability and the prosperity of the Board for the benefit of all who are associated with the Board in order to create full understanding of and regard for the respective rights, obligations and responsibilities of both the Board and the Union. The service conditions of all employees had been fixed, under Clause 2 under the heading, 'Implementation of Revised Wages'. The rates of Dearness Allowance to the temporary labourers had been fixed up to 15th November 1960 when the dearness allowance was merged with the basic salary and from then onwards the daily-rated employees were paid consolidated wages. Both the Parties under the Memorandum of Settlement agreed that from 16th November 1960 and onwards the daily-rated employees will only be paid consolidated wages which includes Dearness Allowance as approved by Government in G.O. No. PWD 142 EEB 60, dated 3rd October 1960 and adopted in Board Order No. MSEB AB. 2165, dated 5th November 1960. It is clear, therefore, that under the Memorandum of Settlement, the parties have agreed that from 16th November 1960, the daily-rated employees

will not be entitled to any separate Dearness Allowance, but are only entitled to consolidated wages which have been fixed. Hence, so long as the settlement is in force and the terms thereof have not been altered or modified by any subsequent settlement or an award, the First party-Union are not entitled to claim the dearness allowance for the daily-rated employees.

19. The argument advanced by the learned Counsel for the First Party is that the last clause in the settlement under which they are entitled to all the benefits that the Board may grant by way of policy to the advantage of the employees of the Board gives them the right to demand the Dearness Allowance at the same rate as that of permanent employees because subsequent to the settlement the Board had conferred certain benefits with regard to the Dearness Allowance to the permanent employees. As stated before, the Board had implemented the Government Order enhancing the Dearness Allowance from time to time between 1962 to 1965 on or about five occasions. The learned Counsel for the First Party contended that those benefit which had been granted to the permanent employees must under the last clause of the settlement be extended to the daily-rated employees also. I am not, however, convinced that, that argument has any force. In interpreting the settlement, all the terms of the settlement must be taken into consideration and as far as possible reconcile the various terms and should not ignore any one of the terms unless it would lead to absurdity. There is a specific term in the settlement that from 16th November 1960 and onwards, the daily-rated employees are not entitled to separate Dearness Allowance, but only to the consolidated wages and hence they cannot demand dearness allowance at any rate so long as the settlement is in force. What the last clause intend is only with regard to the other benefits which the Board may grant to all employees which had not been covered under any terms of settlement. Besides the last clause deals only with the benefits conferred on all employees by way of policy, but it does not restrict the Board from conferring benefits to any particular category of employees. The enhancement of Dearness Allowance after 1962 was declared as a policy of the Board only to the monthly paid employees which means permanent employees of the Board. It was argued that even the daily-rated employees are paid monthly. but the words, 'monthly paid employees' means that their pay is calculated at so much per month, while in the case of the daily-rated employees pay is calculated at so much per day and only for the days during which they have worked. There is, therefore, a real distinction between the monthly-rated workers and the daily-rated workers and the time of payment is not of much importance. but only the rate of which the pay is calculated. The Orders passed by the Board from time to time is only in respect of monthly-rated employees or permanent staff who get pay whether

they worked all the 30 days in the month or not, as against the daily-rated employees whose wages are calculated per day and only for the days on which they work. It is open to the Board to restrict the benefit to a particular class of employees and such benefits cannot be extended to all the employees as contended by the learned Advocate for the First Party. To take an illustration, as pointed out by the learned Counsel for the Management, if the Management tomorrow passes an order that all Assistant Engineers should be provided with jeeps for better performance of their duties, it does not necessarily follow and it would lead to absurdity that all employees of the Board must also be provided with jeeps, because the settlement states that the Board shall extend all the benefits that the Board may grant by way of policy to the advantage of the employees of the Board. What it really means is that if the Board orders by way of policy that a particular benefit should be extended to all its employees, no particular group should be excluded from that benefit. In other words, if the Board declares 'Vijayadasami' a holiday, it cannot ask the clerks to come and work and grant holiday only to the others. In that view of the matter, it seems to me obvious that under the Settlement at any rate, no Dearness Allowance can be claimed by the First Party-Union. The only interpretation that can be given to the settlement is that the workmen are entitled to consolidated wages from 16th November 1960 and onwards which is inclusive of Dearness Allowance. Their claim for Dearness Allowance can be considered only after the termination of the Memorandum of Settlement which has been duly terminated by the Management. The field is now open to demand the Dearness Allowance for the daily-rated employees on the ground of increase in cost of living and the necessity to neutralise the ever increasing cost of living.

20. If the workmen are not entitled to claim the Dearness Allowance which was being paid to the permanent employees of the Board under the Settlement, datd 30th March 1962, the next question for consideration is whether the workmen are entitled to claim the Dearness Allowance at the same rate as those paid to the permanent employees by virtue of increase in the cost of living. It cannont be disputed that there has been a great increase in the cost of living during the last few years. The consumer price index has risen from 379.8 in 1957 to 618.5 in 1965 and to-day it is said to be about 740, that is to say during the course of last ten years, it has increased by nearly 400 points. The daily-rated employees whose consolidate wage was fixed in the year 1961 continued to get the same wage without any increase eversince 1961. It is said to be Rs. 1.25 per day and for 26 days in a month for which he is paid, his wages would be only about Rs. 32.50 per month with which he is supposed to maintain his family in these hard days. It is obvious that with the cost of consumer price index being round about 700 points, it is impossible for any person to maintain his family with the meagre

income that the daily-rated employees' are being paid. It is, to say the least, below the minimum or subsistence wage and the board is not justified in keeping its daily-rated employees in such a miserable state of affairs. The industrial law has laid down and it is supported by a number of authorities that when the industry is in a position to pay, it must keep its workmen on what is called on fair wage basis which is higher than the minimum wage and below living wage. Although the living wage may not be within the easy reach of the workman in the context of prevailing economy, at any rate, when the industry could afford it should pay at least the minimum of fair wage. It has been variously estimated that minimum of fair wage in Mysore State would be somewhere about Rs. 230 at present. The Mysore State Electricity Board has financial capacity to meet the demand of the daily-rated employees. At any rate, it is the bounden duty of the Board to give to all its employees the need based wage. It is not seriously disputed that the Board has capacity to pay. The activities of the Board have increased and so also its financial resources and while the gross revenue when it was started in 1957 was Rs. 215 lakhs for the six months in 1957-58. In 1965-66, the revenue has gone upto 1,235 lakhs. The nett profit during these years had increased from 9 lakhs to 150 lakhs. The resources has also considerably increased from 18 lakhs to 29 lakhs. From these figures, it could be seen that the Board has enormous resources and cannot plead its incapacity to meet the just demands of the daily-rated employees.

21. There is another important reason as to why the daily-rated employees should be treated on par with the permanent employees. The work that has been turned out by the daily-rated employees are identically the same as those of the permanent employees. Even though they do the same kind of work, the daily-rated employees are deprived of all the facilities and benefits enjoyed by the permanent workmen. The daily-rated employees do not get Dearness Allowance. They are not entitled to any leave. They get pay only for the days they work, and other facilities and benefits enjoyed by the permanent workmen are denied to them. It must be remembered that it is one of the cardinal principles enshrined in our Constitution that equal work must be rewarded with equal pay and to each according to his need and from each according to his capacity. That principle has been given a go-bye by making this invidious distinction between the daily-rated employees and the permanent employees. It must be remembered also that the needs of the daily-rated employees are as urgent and imminent as those of the permanent employees and to deny them the privileges enjoyed by the permanent employees is to say the least, against the directives of our Constitution.

22. The First Party has let in considerable evidence in order to show that the daily-rated employees do identically the same work as those done by their counterparts in the permanent cadres. I shall refer to a few witnesses, who have been examined by the First Party in support of this matter. Sri Rama, W.W. 2, has been working in the Board ever since its inception in 1957 and although he has been working for the last ten years, he is still shown as a temporary labourer. He is working in a workshop in the New Receiving Station at Rajajinagar. His work consists of cutting and punching machines. There are about 300 workmen in that workshop but only 22 of them had been made permanent and the rest are all shown as temporary workmen. He has been continuously working for the last 10 years. He has been denied enhanced pay, Dearness Allowance, Pension and medical benefits. According to him, the nature of work done by him is such that it is always required by the Electricity Board. There is no distinction between the work done by the temporary workers and that turned by the permanent workmen. Byrappa is a lineman and he has also been working as a temporary worker in the Board eversince its inception continuously and yet he has not been made permanent. There is no difference between the work done by him and that done by the permanent employees. Hanumanthappa is a maistry in the Electrical 'A' Station. He has been working in the distribution Section for the last eight years attending to street lighting, parallel lighting, giving service connection to the houses, connection to transformers which are all permanent works. According to him, the kind of work that he does is done by both permanent and temporary workmen. The reason why some of them have been kept temporary is to deprive them of wages, leave and wages on holidays. He says that both temporary and permanent workers carry on work together. Kempiah has been working in Mysore State Electricity Board since the last 12 years. He is still a daily-rated employee, although he has been working for 12 years without any break and his work is of the same kind as that of the work turned out by the permanent employees. Lakshminarayana is a supervisor and he deposes that both the permanent as well as temporary employees work together and the same work has been done by both the permanent and temporary workers. Ext. W. 42 is a list of wages paid to the permanent staff who are entitled to the various benefits like D.A., Compensatory-*cum*-House Rent allowances which are denied to the daily-rated employees as well as the leave facilities. Subramanyam is a permanent employee and he states that in the Central Stores, Bangalore, where he works, there are 70 or 80 permanent workmen and about 60 or 70 are temporary workmen and the work of loading and unloading is done by permanent and temporary workmen together and there is no difference between the work done by the permanent and temporary workmen. Ganeshan is a helper working in the Central Stores and although he has put in six years

of service, he is still a daily-rated employee and he has not been paid any Dearness Allowance. The discrimination is not only between the daily-rated employees and the permanent employees, but also between the daily-rated labourers as against the tentative or temporary employee in the higher cadre, *viz.*, clerical staff. In that clerical cadre, the tentative candidates entertained in the service are being paid Dearness Allowance and are given increments and other facilities enjoyed by their counterparts in the permanent cadre while the daily-rated labourers who are the lowest paid employees of the Board are denied these privileges. As a matter of fact our object is to lift up the lowest category of employees and to bring down if necessary the highest paid employees so that the time may come when this gap between the highest paid and the lowest paid will be very narrow, if such a gap should exist at all. The Board seems to have pursued a policy of widening the gap instead of narrowing it within reasonable limits. A. P. Srinivasa Murthy has been working as a Ledger Clerk as a temporary employee in 1963, he states that there were only four zones in Bangalore and now it is increased to six zones. There were then 10 ledger clerks and now there are fourteen. The work done by each clerk is the same, *viz.*, issue of 600 bills a month and to enter the collections. The number of clerks have been increased because the work has increased as the number of consumers have become more. P. Nagiah is another clerk who speaks to the expanding activities of the Board and while there was only one office in 1964 in Malleswaram and now there are three offices and yet he is continued as a temporary worker. B. C. Marilingaiah was taken as a supervisor in 1964 as a temporary employee. He was retrenched in 1965 and reappointed on 14th December 1965, *i.e.*, within two months and continued to be a temporary supervisor, although there was work to be done in that Department. Krishnamurthy was taken as a clerk in Malleswaram North Zone which was later on bifurcated and made into two zones, one in Rajajinagar and one in Yelahanka. According to him, both the permanent and the temporary clerks do the same work and yet he is denied free lighting and festival advance enjoyed by the permanent workmen. These are some of the persons who have been greatly affected by this discrimination between the temporary employees and the permanent employees, but suffice to say that the daily-rated labourers must be given the same rate of Dearness Allowance as given to the permanent workers not only on the principle of equal work equal pay but also on humane consideration that they cannot possibly cope with the even increasing rise in the cost of living.

23. In calculating the Dearness Allowance payable to the daily-rated employees, certain factors have to be taken into consideration. In the first place at the time of consolidation of the pay and the Dearness Allowance in 1960, the entire Dearness Allowance was merged with wages so far as the daily-rated employees are concerned,

but with regard to the permanent employees, only a portion of the Dearness Allowance was merged with the basic pay and therefore that portion of Dearness Allowance which has not been merged in the case of permanent employees will have to be deducted from the Dearness Allowance payable to the daily-rated employees because that portion of Dearness Allowance has already been merged with the consolidated wages of the daily-rated employees. In the second place, the management have adduced evidence to show that the consolidated wages have been subsequently revised in the case of all the daily-rated employees. Hence the benefits that they have got by virtue of the revision of the consolidated wages should also be deducted from the Dearness Allowance payable to them. These two deductions have to be made from the Dearness Allowance which is being paid to the permanent employees and the Dearness Allowance to which the daily-rated employees are entitled will be the amount remaining after such deductions.

24. There are a number of authorities which lay down the proposition that industrial adjudication cannot tolerate discrimination practised in any industry between one worker against another worker. I shall refer to a few of them which laid down those principles. In 1964 I LLJ 750 the following observations are made :—

> "No justification was put forward on behalf of the appellant for making this discrimination in this matter between the same categories of clerks who rejoined the appellant factory year after year when the new season began. We can see no warrant for making this discrimination in the matter of retaining allowance between one seasonal clerk and another and as the appellant was admittedly paying about half of the seasonal clerks year after year it must be held that the other half of the seasonal clerks is equally entitled to the retaining allowance."

In 1964 I LIJ 743, the Supreme Court held that the Industrial Tribunal is right in stating that in the circumstances of the instant case, there should be no disparity or difference between the Dearness Allowance payable by the company to its employees at the two factories.

In 1962 II LLJ 366 the Supreme Court observed that it cannot be denied that the existence of industrial peace and harmony and the continuance of peace and harmony are relevant factors, but their importance should not be unduly exaggerated. If the Appellants thought it necessary to provide for additional earned leave to their old employees, there is no reason why there should not be made a similar provision in respect of the new employees as well.

25. Taking the above circumstances into consideration in order to preserve industrial peace and harmony and in order to avoid frustration and discrimination and disparity between an employee and employee, the demand of the workmen that the daily-rated employees should be treated on par with the permanent employees in the matter of Dearness Allowance should be accepted subject to the modifications indicated above.

26. The last point of dispute between the Management and the workmen is the demand for making daily-rated workers who have put in a service of 240 days and more should be made permanent. The permanent workmen is defined in industrial law as one engaged in the permanent nature of work throughout the year and who has completed his probationary period if any and a temporary workman is one who is engaged in the work of a temporary and casual nature or to fill in a temporary need of extra hands on a permanent or temporary job. From this definition it is obvious that if a worker is engaged in a permanent nature of work throughout the year he is entitled to be made permanent. In the instant case, most of the daily-rated workers are engaged in the work of permanent nature. I need not again refer to the evidence which has been quoted in *extenso* when discussing the question of discrimination between worker and worker. That evidence conclusively proves that most of the daily-rated employees have been engaged in a permanent nature of work throughout the year. There are no doubt some daily-rated employees who are not engaged in a work of permanent nature, but fortunately, in this case, it is possible to distinguish the case of those who are not engaged in a work of permanent nature from those who are employed in such works. The Mysore State Electricity Board has two separate engineers, one called the Chief Engineer, (Construction) and the other, the Chief Engineer (General). The Chief Engineer (Construction) employs workmen for the purpose of construction while the Chief Engineer (General) looks after the maintenance and distribution of Electricity. The daily-rated employees who are under the Chief Engineer (Construction) will not be engaged in the works of permanent nature because as soon as the construction of a project is completed. it is handed over to the Chief Engineer (General). The Chief Engineer (General) will, therefore, have mostly workmen whose employment is of a permanent nature. Hence those daily-rated employees who are working under the Chief Engineer (General) are entitled to be made permanent if they satisfy certain conditions, *viz.*, they should have worked for at least 240 days in a year and found suitable for the kind of work that they have been doing. It must be remembered that the daily-rated employees under the Board has enormously increased from mere 3,000 at the inception of the Electricity Board in 1957-58 to the present figure of 14,000 while the permanent maintenance staff which was

about 2,500 in 1957-58 has risen only to 6.500 in 1960. It seems to me, therefore, that a large amount of work is taken from the daily-rated employees on terms which are very unfavourable to them which really amounts to an unfair labour practice. The Board, itself, seems to have felt that what was being done was not fair because during the discussions between the Officers of the Board and the Representatives of the Union on 7th September 1965 as per Ext. W. 2(a) decided to recommend that this question of absorption of temporary labourers in the Mysore State Electricity Board be considered on the lines on which the Madras State Electricity Board had solved this problem as indicated in their Board Order—Proceedings MS. No. 236, dated 16th February 1959, reproduced below :—

> "Permanancy of Nominal Muster Roll Workers—About 5,000 Nominal Muster Roll workers will be absorbed into the Operation Subordinate Service within one year and a further two thousand Nominal Muster Roll workers in the succeeding period of two years. The absorption during 1959 will be on a phased programme of about 400 or 450 workers per month so that 5,000 workers will be absorbed within the calendar year. The absorption of the workers should be in the order of Seniority subject to suitability."

In 1961 I LLJ 649, the Supreme Court has stated that the proper construction of the definition of a "Permanent" workman "in the standing orders would be" A workman engaged on a work of permanent nature which lasts throughout the year and who has completed his probationary period, if any, not being one engaged to fill in a temporary need of extra hands of permanent jobs, that is for example in leave vacancies". The Model Standing Orders also defines a permanent workman as a workman who has been engaged on a permanent basis and includes any person who has satisfactorily completed a probationery period of three months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lock-out, strike or involuntary closure of the establishment. In the instant case, as stated before and according to the evidence adduced by the I Party, the work shown in the General Department as against the construction Department, is of a permanent nature lasting throughout the year. As a matter of fact some of these daily-rated workers have been in continuous employment of the Board eversince its inception in 1957. Some of the clerical staff have also been in continuous service for a number of years even drawing the annual increments and getting all the benefits which are given to the permanent employees. Apart from the evidence of the I Party, the evidence adduced by the Management itself shows that the work done by these temporary employees are of permanent nature. Sri Anthony Periera who is the Executive

Engineer in the II Party-Board, states that in his opinion the number of permanent workmen are insufficient to do all the maintenance work and there are targets for rural electrification and Irrigation Pumps Schemes and as the activities of the Board are increasing year by year it will take a minimum of 20 years to electrify all the rural villages.

27. We will next consider how this problem of absorption of temporary workers has been solved in other public concerns. According to the Madras Electricity Standing Orders, a temporary workman who has been specially recruited in connection with the operation, maintenance and distribution works, shall be eligible for the benefits of the permanent workman under the Standing Orders, after he completed one year's service as per Rule 3 in Ext. W. 43. Under the Standing Orders for workmen under the K.G.F. undertakings, if a temporary workman continues for more than 3 consecutive months, he shall be entitled to the privileges and benefits accruing to the permanent workmen. It is unnecessary to repeat that the evidence shows that the daily-rated employees side by side work with the permanent employees of the Board in operation, maintenance and distribution of Electricity under Chief Engineer (General). Therefore, they are entitled to be deemed as permanent if they worked for 240 days within one calendar year.

28. The next question for consideration is how these daily-rated employees have to be absorbed into the permanent cadre. As stated before there are 13,500 temporary employees of which probably about 2,500 are working under Chief Engineer (Construction). Excluding them, there will be about 11,000 daily-rated employees who have to be absorbed as permanent workmen. The procedure followed by Madras Electricity Board is to have a phased programme of absorption under an Agreement between the Madras State Electricity Board and the representatives of the Tamilnad Electricity Workers Federation. One of the terms of which is that about 5,000 nominal muster roll workers will be absorbed into operation subordinate service within one year and a further 2,000 in succeeding two years. It must however, be remembered that the Agreement came into effect as early as 1059, probably within a few years after the inception of Madras State Electricity Board. Adopting a similar formula for the temporary labourers and also for the temporary clerical staff, the absorption can be made of 50 per cent of the temporary daily-rated employees within six months and 50 per cent of the remaining in another six months' time and the balance within six months thereafter, so that the entire absorption can be effected within a period of 1½ years subject of course to the above conditions, *viz.*, that they should have worked for 240 days in a year and according to seniority and suitability the fitment being according to the corresponding posts without loss of emoluments.

29. My findings on the other Issues are as follows :—

1. The temporary employees are not entitled to benefits of enhanced Dearness Allowance under the Agreement dated 30th March 1962.

2. The Policy of the Board was not to extend the benefit of the enhanced Dearness Allowance to the temporary employees of the Board.

3. The workmen of the Mysore State Electricity Board justified in demanding the enhanced Dearness Allowance to the temporary employees of the Mysore State Electricity Board irrespective of the fact that under the terms of the Settlement, dated 30th March 1962 arrived at between the Management of the Mysore State Electricity Board and the employees union, the said benefits have not been extended to them.

4. The temporary employees are entitled to the enhanced Dearness Allowance granted to the Permanent employees.

5. The next question is the date the enhanced Dearness Allowance should be given effect to. The Reference is dated 27th October 1965, but it appears that they were given some relief by enhancing the consolidated wages for the period upto 31st March 1966. The present order regarding the Dearness Allowance should, therefore, come into force as and from 1st April 1966 which will be the beginning of the Financial year 1966-67. The Reference is, therefore, only with regard to the Dearness Allowance and not with regard to the wages and hence the consolidated wages mentioned in the Settlement has to be taken and to it the Dearness Allowance as given to the permanent employees be added less what the permanent employees got at the time of the consolidation of wages as Dearness Allowance because it must be remembered that while the entire Dearness Allowance was merged with the consolidated wages in respect of the Daily-rated employees and in the case of the permanent employees, only a portion of Dearness Allowance was merged. Hence that portion of Dearness Allowance which was not merged with the consolidated wages of the permanent workers must be deducted in calculating the Dearness Allowance for the temporary employees.

30. In the result, I make the following AWARD :—

1. That the management do pay to the daily-rated employees of the Mysore State Electricity Board the Dearness Allowance from 1st April 1966 and consolidated wages as contem-

plated in the Memorandum of Settlement dated 30th March 1962 the Dearness Allowance at the following rates :—

		From 1*st April* 1966	*From* 1*st January* 1967
		Rs.	Rs.
Below Rs. 90 per month	..	28	37
Rs. 90 to 109 per month	..	45	55
Rs. 110 to 149 per month	..	45	60
Rs. 150 to 209 per month	..	50	70
Rs. 210 to 399 per month	..	61	90

If they had been paid a higher consolidated wages from 1st April 1966 then what was fixed under the Settlement dated 30th March 1962, the increase in the consolidated wages will be deducted from the Dearness Allowance payable to them under this award.

2. The daily-rated employees working under the Chief Electrical Engineer (General) will be absorbed according to their seniority into the permanent cadre provided they have put in 240 days service in one calendar year and they are found suitable by the Management in the following phased programme :—

Fifty per cent of the daily-rated employees as well as the tentative clerical staff and supervisory will be absorbed into the permanent cadre within a period of six months from the date this Award becomes enforceable. Fifty per cent of the remaining daily-rated employees and tentative clerical and supervisory staff will be absorbed within a period of six months thereafter, the remaining daily-rated employees tentative clerical and supervisory staff to be absorbed within the next six months after the absorption of the second group. They may be fitted to the corresponding posts without loss of emoluments. This order will apply only to the daily-rated employees under the Chief Engineer (General) and not to those working under Chief Engineer (Construction).

The demand regarding the proportion of promotion of Graduates and non-graduates to the posts of Assistant Engineers is rejected.

As each party has succeeded in part, each party is directed to bear its own costs.

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.
17*th October* 1967.

P.R. 1301

ORDER

Bangalore, dated the 21st October 1967

S.O. 2017. WHEREAS by State Government Orders No. (i) PLM 323 LLD 65, dated 21st October 1965, (ii) PLM 323 LLD 65, dated 25th February 1965 and (iii) LMA 20 LLD 66, dated 18th April 1966, the Industrial Disputes between the Workmen and the Management of Mysore State Electricity Board, Bangalore were referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS by G.O. No. LMA 595 LLE 66, dated 29th November 1966, the disputes were transferred to A.I.T., Bangalore;

AND WHEREAS Additional Industrial Tribunal, Bangalore has submitted to the State Government its common award in respect of the said Industrial Disputes.

NOW THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 20 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

Under Secretary to Government,
Food, Civil Supplies and Labour Department (Labour).

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Canara Workshop Ltd., Mangalore.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers :—

(i) Letter No. I.T. 1017-18/67-69, dated 4th October 1967, from Shri A. Panchaksharish, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 30th September 1967.

Present:

Shri A. Panchaksharish, B.A. (HONS.), LL.B., ... *Presiding Officer.*

I. D. No. 198 of 1966.

I Party		*II Party.*
Workmen of Canara Workshops Ltd., Mangalore.	*Vs.*	Th Management of Canara Workshop, Ltd., Mangalore.

I.D. No. 8 of 1967.

The Workmen of Canara Workshops Ltd., Mangalore.	The Management of Canara Workshop Ltd., Mangalore.

Appearances :

For the I Party :—I-A. Sri Vittal Shetty, Treasurer, I.N.T.U.C, Mangalore.

I-B. Sri Srinivasan, Secretary. S. K. Automobile and Engineering Work rs' Union, Maidan Road, Mangalore, S. K.

For the II Party:—K. Sashidhar Rao, B.A., LL B, President General Managements' Association, Mangalore, S. K.

References

I. D. No. 198 of 1966 is referred by Government in their Order No. LMA 586 LLD 65, dated 20th/23rd December 1966.

I. D. No. 8 of 1967 is referred by Government in their Order No. LMA 32 LLD 67, dated 2nd February 1967.

These two disputes are between the Workmen and the Management of Canara Workshop, Ltd., Mangalore. In both these disputes, the Management of Canara Workshop, Ltd., is the II Party while the workmen represented by the Secretary, Karnataka Automobile and Engineering Workers' Union, Mangalore, is I Party The reference in I. D. No. 198 of 1966 is made by the Government in their Order No. LMA 586 LLD 66, dated 20th/23rd December 1966 and I.D No 8 of 1967 is made by the Government in their Order No. LMA 32 LLD 67, dated 2nd February 1967, under Section 10 (1) (d) of the Industrial Disputes Act, 1947. In I.D No. 198 of 1966, the demand of the workmen is with regard to the House Rent Allowance at the rate of Rs. 10 per worker per month from 1st January 1966, whereas in I. D No. 8 of 1967, the dispute is with regard to the demand for the introduction of gratuity scheme at the rate of one month's salary (Basi D. A.) per each year of service on retirement, termination of service, discharge or resignation on medical grounds, dismissal and voluntary resignation and death. The demand with regard to House Rent Allowance made by the workers in I. D. No. 198 of 1966 was registered as I. D. No. 198 of 1966 whereas the Demand with regard to institution of Gratuity Scheme is registered as I. D. No. 8 of 1967.

2 The workmen filed their claim in I. D. 198 of 1966 justifying their claim for House Rent Allowance and the II Party

Management disputed the claim of the I Party on various grounds. On the pleadings, two issues were framed in I. D. No. 198 of 1966. As the II party have taken the contention that this does not amount to an industr al dispute, the burden of proving that there existed an industrial dispute between the workmen and the management forms the sub ect matter of Issue No. 1. As the II party had also taken another contention that they do not have the required finaancial capacity to meet the demands of the workmen, the I party was called upon to prove that that the II party has the required financial capacity to prove that the II Party has the required financial capacity to meet the demands with regard to the House Rent Allowance at the rate of Rs. 20 per month.

8. In I. D. No. 8 of 1967 the I Party filed the claim statement through the Secretary of Karnataka Automobile and Engineering Worker's Union, Mangalore, justifying their claim for the introduction of the Gratuity Scheme as claimed by them. The II Party through their Managing Director have reputed the claims of the workmen for the institution of a Gratuity Scheme on the model suggested by the workmen. No fresh Issues apart from the one formulated in the Points of Dispute by the Government were framed.

4. Both the cases were posted for evidence to be recorded at Mangalore Camp on 25th September 1967. On 25th September 1967, both the Parties submitted that both the cases may be clubbed together and a common trial to be held and also took time to report settlement. On 27th September 1967, both the Parties filed a Joint Memo reporting settlement of both the disputes. Mr. K. Sashidhar Rao appeared for the II Party in both these cases and has signed the Memo. On behalf of the I Party, Sri Srinivasan, Secretary of the Union and Mr. C. A. Vittal Shetty, the Counsel for the I Party-B, have signed the Memorandum of settlement. According to the representation made by both the Parties that in view of some concessions made by the II Party to the I Party workmen, these two di-pu es were not pressed by the Parties, but however, the parties requested for an award being passed in terms

of the Joint Memo. Accordingly, I pass an Award in terms of the Joint Memo and the Joint Memo itself will form a part of the Award. Each Party will bear its own costs.

A. PANCHAKSHARIAH,

Presiding Officer.

Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Case Nos. I.D. 198 of 1966 and
I.D. No. 9 of 1967.

Between

The Workmen of M/s. Canara Workshops Ltd., Mangalore
... ***I Party***

and

The Management of M/s. Canara Workshops Ltd , Mangalore
II Party.

JOINT MEMO.

The Parties hereto have settled their disputes amicably between themselves and it is agreed that an Award be passed in the following terms :—

1. **That the workmen including the temporary workers who have completed six months service of the II Party be given increment ranging from minimum of 25 paise to maximum of 40 paise per day with effect from 1st day of August 1967 in consideration of which the above disputes are not pressed by the I Party.**
2. **The arrears of increment be paid on or before 15th October 1967.**
3. **That there be no order as to costs.**
4. **Prays therefore an award be passed accordingly.**

Dated at Mangalore, this 27th day of September 1967.

(Sd.) A Vittal Shetty.

(Sd.) K. Shashidhar Rao. **(Sd.) Srinivasan.**

For Second Party. ***For First Party.***

"TRUE COPY "

A. PANCHAKSHARAIAH,
Presiding Officer,
Industrial Tribunal, Bangalore.

ORDER.

Bangalore, dated 10th October 1967.

S. O. 2053.—WHEREAS by State Government Order No. LMA 586 LLD 66, dated 23rd December 1966, LMA 32 LLD 67, dated 2nd February 1967, the Industrial Dispute between the Workmen and the Management of Canara Workshop Ltd., Mangalore was referred to the Industrial Tribunal, Bangalore for adjudication ;

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute :

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 586 LLD 66. and LMA 32 LLD 67.]

By Order and in the name of the Governor of Mysore,

1275 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. B. N. S. Motor Service, Mangalore.

Award of the Labour Court, Hubli—published.

Read the following papers.—

(1) Letter No. 1453/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 30th September 1967.

Reference (I D) (LCH) No. 34 of 1967.

Present :

Shri Syed Azizuddin Ahmed, M.A., B. L., ... *Presiding Officer.*

Between

The Workmen of M/s. B.N.S, Motor Service, Mangalore represented by the Secretary, Karnataka Automobile and Engineering Workers' Union, Maidan Cross Road, Mangalore-1.
... *I Party.*

and

The Management of M/s. B.N.S. Motor Service, Mangalore.
... *II Party*

This is a reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 255 LLD 67, dated 25th April 1967. The points of dispute referred for adjudication are as under :—

I. Are the Management of Messrs. B.N.S. Motor Service, Mangalore, justified in terminating the services of Sri K. Kanthappa, Fitter, from 3rd September 1964?

II. If not, to what relief the worker is entitled?

2. The cause of the aggrieved workman has been sponsored and espoused by the Karnatak Automobile and Engineering Union, Maidan Cross Road, Mangalore represented by its Secretary. In response to the notices issued by the Court, the parties have filed their pleadings, dated 23rd May 1967 and 3rd June 1967 respectively. Sri T. P. Rao appeared for the I Party while Sri W. R. Sunita appeared for the II Party.

3. The points of dispute specified in the order of reference were adopted as issues in the case. It is hardly necessary for me to describe the pleadings in detail. The II Party examined one witness. At this stage, Sri T. P. Rao, the learned representative of the I Party filed a memo seeking the withdrawal of the dispute. The same was duly verified by me.

AWARD

The reference is rejected in view of the withdrawal memo filed by the representative of the I Party. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer
Labour Court, Hubli

Date: 30-9-1967.
Place: Hubli

ANNEXURE

Reference (ID) (LCH) No. 34 /1967

Witnesses examined for I Party
Nil

Witnesses examined for II Party
M.W.1 Sri A. Gangadhar S/o B. Narasappa.

Documents marked for I Party
Nil

Documents marked for II Party
Nil

ORDER.

Bangalore, dated 20th October 1967.

S. O. 2054.—WHEREAS by State Government Order No. LMA 255 LLD 67, dated 25th April 1967, the Industrial Dispute between the Workmen and the Management of M/s, B. N. S. Motor Service, Mangalore was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 255 LLD 67.]

By Order and in the name of the Governor of Mysore,

1322 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute:—Industrial Dispute between the Workmen and the Management of Sri Ramachandar Vithoba Rangadal, Sandal Galli, Gulbarga.

Award of the Labour Court, Hubli—published.

Read the following papers:—

(i) Letter No. 1461/67-68, dated 5th October 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 5th October 1967.

Reference (ID) (LCH) No. 74 of 1966

Present:

Sri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer.*

Between:

The Workmen of Sri Ramachandar Vithoba Rangadal, Sandal Galli, Gulbarga represented by the Secretary, Gumasta Sangh, Gulbarga. ... *I Party.*

and

The Management of Sri Ramachandar Vithoba Rangadal, Sandal Galli, Gulbarga. ... *II Party.*

This is a reference under Section 10 (1) (c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 513 LLD 66, dated 26th November 1966. The points of dispute referred for adjudication are as under:

Is the Management of Sri Ramachandar Vithoba Rangadal, Sandal Galli, Gulbarga, justified in terminating the services of Sri Sharanayya S/o Veerayya Swamy from 1st December 1965?

If not, is he entitled to reinstatement with back wages and continuity of Service?

2. The cause of the aggrieved workman has been sponsored and espoused by the Gumasta Sangh, Gulbarga, represented by its Secretary, Sri Siddramappa, Secretary appeared for the I Party while Sri Ramachandar Vithoba Rangadal Proprietor appeared for the II Party. In response to the notices issued by the Court, the parties have filed their pleadings dated 20th December 1966 and 24th July 1967 respectively.

3. The case of the I Party is that Sri Sharanayya, the aggrieved workman was working as a Gumasta under the II Party from 10th January 1921 to 1st December 1965 on which date his services were terminated. He was drawing a salary of Rs. 100 p.m. at that time. The II Party terminated the services of the aggrieved workman without giving him any notice and without holding an enquiry. The action of the management is unilateral, unreasonable and illegal. It was prayed that he may be reinstated in his post and he may be given the arrears of salary and other benefits detailed in the claim statement.

4. The II Party contested the claim of the I Party. The stand of the II Party is that Sri Sharanayya left the job of his own will in April 1961. Thus, there was no question of terminating his services on 1st December 1965. The points of dispute specified in the order of reference were adopted as issues in the case. The proprietor of the II Party examined himself and closed his oral evidence while two witnesses including the aggrieved workman were examined by the I Party. The I Party got marked as exhibits three documents.

FINDINGS.

5. Ramachandar, M.W. 1 is none other than the proprietor himself. He deposed that in the year 1960, the aggrieved workman worked with him temporarily for about 3 or 4 months. He had entrusted him with Rs 18,000 near about for supplying articles to the Jail, himself being a Jail Contractor. Sri Sharanayya left his service of his own accord and joined Dattatraya Trading Company. He has not accounted for the amount entrusted to him up till now.

6. In rebuttal, Sri Sharanayya, W.W.1 deposed that he had worked with the II Party for abont 44 years. When he asked the proprietor to pay him his salary, the latter asked him to go sway

from the job, Sri Gurushantappa, W.W.2 has a different story to tell. He deposed that Sri Sharanayya fell ill for about two months two years ago. After recovery, he came and told him that he had gone to the II Party for service and the latter had refused to entertain him in service. This is a case of the parties trying to outwit one another. Whether the proprietor had entrusted him with Rs. 18,000 or not is a moot-point. The question that arises for determination is whether the proprietor had dispensed with the services of the aggrieved workman from 1st December 1965. The aggrieved workman of his own admission has served the management for 44 years. His age as per his statement is 62 years but he appeared still older. I found him a weak and emaciated person with one eye permanently damaged. He has already reached the age of superannuation. It would be highly unreasonable to ask the management to reinstate such a workman. The story set up by him that the management had dispensed with his services from 1st December 1965 is highly incredible.

7. In view of the glaring discrepancy appearing in his statement and that of his witness, it is hard to believe that the proprietor would have asked him to go away jobless for no reason when the workman had put in such a length of service. There is nothing worthwhile in the three documents filed by him. They do not support his claim in the least. There is not an *iota* of witness to hold that the management did not pay him salary for the year 1964 65 and 1965-66. The point of dispute is decided in favour of the II Party.

AWARD

There is nothing to say that the management of Sri Ramachandar Vithoba had terminated the services of Sri Sharanayya S/o Veerayya Swamy from 1st December 1965. The question of his reinstatement with back wages and continuity of service does not arise. He is not entitled to any of these reliefs. The parties shall bear their own costs.

Place : Hubli

Date : 15-10-1967

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli

ANNEXURE

Reference (ID) (LCH) No. 74/1966

Witnesses examined for I Party

W.W. 1 Sharanayya Veerayya Swamy.
W.W. 2 Gurushantappa Channabasappa Shahabad.

Witnesses examined for II Party

M.W 1 Ramachandar Vithoba Rangadal.

Documents marked for I Party

Exhibits :—

W1 Bill of K M. Jadhav, Bijapur, dated 6-10-1959.
W2 Application of Sri S. S. Rangji, dated 24-7-1967.
W3 Supply list dated 1-8-1958.

Documents marked for II Party

Nil

Place : Hubli

Date : 5-10-1967

SYED AZIZUDDIN AHMED,
Presiding Officer
Labour Court, Hubli.

ORDER

Bangalore, dated 21st October 1967.

S. O. 2055.—WHEREAS by State Government Order No. LMA 513 LLD 66, dated 26th November 1966. the Industrial Dispute between the Workmen and the Management of Sri Ramachandar Vithoba Rangadal Sandal Galli, Gulbarga was referred to the Labour Court, Hubli for adjudication ;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore is pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 513 LLD 66.]

By Order and in the name of the Governor of Mysore,

1326 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

[FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)]

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Jayaram Tile Works, Baloor, Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following papers :—

(1) Letter No. 1470/67-68, dated 7th October 1967, from Shri Syed Azizuddin Ahmad, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated : 7th October 1967.

Reference.

(ID) (LCH) No. 42 of 1967.

Present :

Shri Syed Azizuddin Ahmed M.A., B.L., ... *Presiding Officer.*

Between :

The Workmen of M/s. Jayaram Tile Works, Boloor, Mangalore represented by The Secretary, South Kanara Tile Workers, Union, Bolar, Mangalore. ... *I Party*

and

The Management of M/s. Jayaram Tile Works, Boloor, Mangalore. ... *II Party*

This is an industrial dispute between the Workmen and the Management of M/s. Jayaram Tile Works, Boloor Mangalore raised by the Secretary, South Kanara Tile Workers' Union, Boloor, Mangalore. The Government of Mysore in their Order No. LMA 336 LLD 67, dated 6th June 1967, in exercise of the powers conferred upon them under Section 10 (1) (c) of the Industrial Disputes Act, 1947, referred the same to this Court for adjudication, the points of dispute being.

I. Is the Management of M/s. Jayaram Tile Works, Bolcor Mangalore, justified in refusing employment to Sri Kunhanna Shetty with effect from 11th November 1965?

II. If not, to what other relief is the worker entitled?

2. Sri Srinivas appeared for the I Party while Sri D. S. Somashekhar Alva, advocate appeared for the second. In response to the notices issued by the Court, the parties have filed their pleadings dated 10th July 1967 and 7th August 1967 respectively.

3. The case of the I Party is that Sri Kunhanna Shetty, the aggrieved workman was employed with the II Party. On 11th November 1965, the proprietor of the II Party asked the aggrieved workman to do work other than his usual work and when he refused to do the same, he abused him in a filthy language and refused him employment itself. The action of the II Party besides being arbitrary, is unjust and illegal. It was prayed that he may be reinstated with full back-wages.

4. The II Party contested the claim statement. It maintained that the II Party never refused employment to the aggrieved workman. He himself did not report to work from 11th November 1965. It is false that the proprietor had abused him in filthy language. The points of dispute specified in the order of reference were adopted as issues in the case. The I Party examined one witness while the II Party examined two witnesses and closed their oral evidence. The I Party got marked two documents as exhibits while no documents were filed on behalf of the II Party.

FINDINGS

5. The principal point that arises for determination is whether the management had refused employment to the aggrieved workman with effect from 11th November 1965. Ramaiah Shetty M. W. 1 deposed that he is working in the II Party concern since last 18 years. Kunhanna Shetty is not coming to the factory of the II Party since last one year and 9 months. The II Party did not refuse him work. Kunhanna Shetty had worked in the factory for about 8 years. There is no enemity between him and

Kunhanna Shetty. D. A Maben, M. W. 2 is a Mechanic in the II Party. He deposed that he is working there since last 18 years. Kunhanna Shetty is not attending the factory since last 21 months. The II Party never abused him and did not refuse him work.

6. In rebuttal, Kunhanna Shetty, W. W 1 deposed that he used to polish the tiles in the factory of the II Party D. A. Maben, M. W 2 asked him to carry slabs from the engine. He refused to do the work because it was strenuous to his capacity. Thereupon, he told him that he would teach him a lesson. The next day, the proprietor approached him and asked him to perform the work which M. W. 2 had asked him to do He wept and told the proprietor that it was too heavy for him. The proprietor asked him to carry two or three loads at least to honour the words of M. W. 2. He carried two loads and on the third trip he fell down. He reported his fall to the proprietor, who was in his office. The latter abused him and asked him not to work any more. He said go away from the premisess and pluck the hair of the genital organ.

7. On a balancing of the parties' evidence, I find the deposition of the aggrieved workman thoroughly unreliable. The story that has been put forward in the Court is different from story that has been set up in the claim statement. In the claim statement it has been stated that the proprietor asked the aggrieved workman to do work other than his usual work. In the sworn testimony it has been tried to make out that the aggrieved workman used to polish the tiles and that the mechanic had asked him to carry the slabs from the engine. Again in his sworn statement, the aggrieved workman stated that the proprietor had asked him to carry at least two or three loads to honour the words of the mechanic. In order to instil the sense of discipline in the workmen of the factory, it was not wrong on the part of the proprietor to ask the aggrieved workman to carry two or three loads to honour the words of the mechanic. The behaviour of the aggrieved workman was certainly objectionable. On his own admission, he carried two loads and on the third trip he fell down with the load. I am sure the load could not have been so heavy as to make him fall. If the mechanic or the proprietor had beenso cruel as to ask him to carey load beyond his capacity, no wonder that all the workmen in the factory would have pounced up n the mechanic and the proprietor and torn them to pieces. I understand that there are about 125 workmen working in the factory.

The I Party could not examine a single witness to corroborate the testimony of W. W 1. When the aggrieved workman had carried out the words of the proprietor, I do not see the reason why he should have got wild and abused him.

8. On over all consideration of the entire material on record and on a balancing of the oral evidence in the case, I am inclined to take the view that the aggrieved workman, having refused to do the work asked by the mechanic, voluntarily gave up the job. There was nothing wrong in the mechanic asking him to carry the slabs from the engine for, the aggrieved workman has admitted during the course of his cross examination that when there was no sufficient work in his section, he would be assigned some other work. The points of dispute are decided against the I Party.

AWARD.

From the material on record it transpires that the aggrieved workman had voluntarily abstained from attending to his work from 11th November 1965. In view of this, he is not entitled to any relief. The parties shall bear their own costs.

Place: Hubli

Date: 7th October 1967.

SYED AZIZUDDIN AHMED,
Presiding Officer
Labour Court, Hubli.

ANNEXURE

Reference (ID) (LCH) No. 42/1967

Witnesses examined for I Party

W. W. 1 Kunhanna Shetty S/o Koraga Shetty

Witnesses examined for II Party

M. W. 1 Ramiah Shetty S/o Nanayanna Shetty
M. W. 2 D. A. Maben S/o Simpson Maben

Documents marked for I Party

Exhibits:

W.—1 Letter dated 11th November 1965 from I Party to II Party
W—2 Conciliation proceedings dated 13th February 1967.

Documents marked for II Party

Nil

Place: Hubli

Date: 7th October 1967.

SYED AZIZUDDIN AHMED
Presiding Officer
Labour Court, Hubli.

ORDER.

Bangalore, dated 21st October 1967.

S.O. 2956.—WHEREAS by State Government Order No. LMA 336 LLD 67, dated 6th June 1967 the Industrial Dispute between the Workmen and the Management of M/s Jayaram Tile Work, Baikor, Mangalore was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. LMA 336 LLD 67.]

By Order and in the name of the Governor of Mysore,

1327 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Disputes.—Industrial Dispute between the Workmen and the Management of St. Joseph's Asylum Industrial Workshops Mangalore

Award of the Labour Court, Hubli—Published.

Read the following papers :—

(1) Letter No 1450/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 30th September 1967.

Reference

(ID) (LCH) No 4 of 1967.

Present:

Shri Syed Azizuddin Ahmed, M.A., B.L. Presiding Officer.

Between:

The Workmen of St. Joseph's Asylum Industrial Workshops, Mangalore represented by the Secretary, Kanara Motor and Engineering Workers' Union, Felix Pai Bazar, Mangalore-1.

... *I Party.*

and

The Management of St. Joseph's Asylum Industrial Workshops, Mangalore-2.

... *II Party.*

This is a reference under Section 10 (1)(c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 658 LLD 66, dated 23rd January 1967. The points of dispute referred for adjudication are as under:—

(1) Is the Management of St. Josephs' Asylum justified in refusing to pay bonus to Sri Ignatius, Monterio for the years 1961-62, 1962-63 and 1963-64 and 1964-65?

If not, to what years and what quantum of bonus is the worker entitled?

(2 Is the Management of St. Joseph's Asylum justified in refusing to pay gratuity benefits at the time of

2. The cause of the aggrieved workman has been sponsored and espoused by the Kanara Motor and Engineering Workers' Union. Felix Pai Bazar, Mangalore represented by its Secretary. In response to the notices issued by the Court, the parties have filed their pleadings, dated 23th February 1967 and 9th March 1967 respectively.

3. I need not describe the pleadings in detail for the reason that when the case was taken up for hearing at Mangalore camp on 22nd September 1967, the aggrieved workman Sri Ignatius Monterio appeared in person and stated that the dispute has been settled out of Court and he does not press the same. He was identified by Sri Govindan, Secretary of the Union. Sri T. S. Pai was present fro the II Party.

AWARD

The reference is rejected in view of the settlement out of Court. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Date: 30-9-1967.
Place: Hubli.

ORDER.

Bangalore, dated 21st October 1967.

S. O 2057.— WHEREAS by State Government Order No. LMA 668 LLD 66, dated 23rd January 1967, the Industrial Dispute between the Workmen and the Management of St. Joseph's Asylum Industrial Workshops Mangalore was referred to the Labour Court, Hubli for adjudication

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, In exercise of the powers conferred by Section 17 of the Industrial Disputes Act 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. LMA 668 LLD 66.]

By Order and in the name of the Governor of Mysore,

1328 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute:—Industrial Dispute between the Workmen and the Management of Sri C. L. Pinto, Lorry owner, Lorry No. 5361, Bejaji, Mangalore.

Award of the Labour Court, Hubli Published.

Read the following Papers:—

(1) Letter No. 145:/67-68 dated 30th September 1967. from Shri. Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 30th September, 1967.

Reference (ID) (LCH) No. 24 of 1967.

Present:

Sri Syed Azizuddin Ahmed, M.A., B.L ... *Presiding Officer.*

Between:

The Workmen of Sri C. L. Pinto, Lorry Owner, Lion Motors, Lorry No. MYX 5361 Bejaji, Mangalore, represented by The Secretary, Karnatak Automobile and Engineering Workers' Union, Mangalore ... *First Party.*

and

The Management of Sri C. L. Pinto, Lorry Owner, Lion Motors, Lorry No. MYX 5361 Bejaji, Mangalore.

... *Second Party.*

This is a reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 23 LLD 67, dated 15th February, 1967. The points of dispute referred for adjudication are as under:

I. Is the Proprietor of Lion Motors, Bejaji, Mangalore justified in terminating the services of Sri Narayana, driver with effect from 6th July 1966.

II. If not is the worker entitled to reinstatement with full back wages and continuity of service or to any other relief.

2. The cause of the aggrieved workmen has been sponsored and espoused by The Karnatak Automobile and Engineering Workers, Union, Mangalore represented by its Secretary. The I Party has filed its Claim Statement while no Counter statement has been filed by the II Party.

3. Sri T. P. Rao, Secretary appeared for the I Party There is no one present on behalf of the II Party. When the case was taken up for hearing at Mangalore camp on 23rd September 1967 Sri T. P. Rao, the learned representative of the I Party filed a memo stating seeking withdrawal of the dispute. The same was duly verified by me.

AWARD

The reference is rejected in view of the withdrawal-memo filed by the representative of the I Party. No order as to costs.

Place : Hubli
Date : 30-9-1967

SYED AZIZUDDIN AHMED
Presiding Officer,
Labour Court, Hubli.

ORDER.

Bangalore, dated 21st October 1967.

S. O. 2058.—WHEREAS by State Government Order No. LMA 23 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of Sri C. L. Pinto, Lorry owner, Lorry No. 5361. Bejai, Mangalore was referred to the Labour Court, Hubli for adjudication :

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 23 LLD 67.

By Order and in the name of the Governor of Mysore,

1829 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Mangalore Press, Mangalore (Car Street).

Award of the Labour Court, Hubli—Published.

Read the following papers :

(i) Letter No. 1459/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 30th September 1967.

Reference (ID) (LCH) No. 57 of 1967.

Present :

Shri Syed Azizuddin Ahmed, M. A., B. L., *Presiding Officer.*

Between :

The Workmen of Mangalore Press, Car Street, Mangalore represented by The Secretary, S. K. Press Workers' Union, Maidan Road, Mangalore-1. ... *I Party.*

and

The Management, Mangalore Press, Mangalore. ... *II Party.*

This is a reference under Section 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No FCL 176 LLD 67, dated 15th July 1967. The points of dispute referred for adjudication are as under.—

> Are the Management of Mangalore Press, Car Street, Mangalore justified in refusing to introduce the gratuity scheme in their establishments for the benefit of workers ?

(*a*) Are the Management of Mangalore Press, Mangalore, justified in retrenching the following workers :

(*a*) Sri Narayana Shriyani,

(*b*) ,, U Rama Suvarna,

(*c*) ,, Srinivas Kaikera,

(*d*) ,, M. K. Ramachandra,

(*e*) ,, Sadashiv Bangera.

(*b*) Are the Management justified in terminating the services of Sri Sadananda Kunder ?

If not, are the workers entitled to reinstatement ? or any other relief ?

(*c*) Are the workers justified in demanding an allowance of Rs. 20 p.m. besides the usual increment ?

If not, to what other reliefs are the worker entitled ?

2. The cause of the aggrieved workmen has been sponsored and espoused by The South Kanara Press Workers Union, Mangalore represented by its Secretary. In response to the notices issued by the Court, the I Party sent a memo dated 16th August 1967 seeking withdrawal of the dispute When the case was taken up for hearing at Mangalore camp on 22nd September 1967 Sri Srinivas, representative of the I Party appeared before me and admitted the execution of the memo of withdrawal of the dispute. The same was duly verified by me.

AWARD.

The reference is rejected in view of the withdrawal memo filed by the representative of the I Party. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Date : 30-9-1967.
Place : Hubli.

ORDER.

Bangalore, dated 21st October 1967.

S. O. 2059.—WHEREAS by State Government Order No. FCL 176 LLD 67, dated 15th July 1967, the Industrial Dispute between the Workmen and the Management of Mangalore Press, (Car Street) Mangalore was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government, its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 176 LLD 67.]

By Order and in the name of the Governor of Mysore,

1330 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Disputes.—Industrial Dispute between the Workmen and the Management of M/s. Warner Transport Valencia, Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following papers:

(1) Letter No. 1451/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Date: 29th September 1967

Reference (ID) (LCH, No. 23 of 1967.

Present:

Sri Syed Azizuddin Ahmed. M.A., B.L. ... Presiding Officer.

Between:

The Workmen of Warner Transport, Valencia, Mangalore-2 represented by the Secretary, Karnataka Automobile & Engineering Workers, Union, Maidan Cross Road, Mangalore. ... *I Party.*

and

The Management of M/s. Warner Transport Valencia, Mangalore-2. ... *II Party.*

This is a reference U/s. 10 (1) *(c)* of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 44 LLD 67, dated 15th February 1967. The points of dispute referred for adjudication are as under:—

I (a) Are the management of Warner Transport, Valencia, Mangalore justified in terminating the services of Sri M. Saldanha, Driver?

(b) If not, is the worker entitled to re-instatement with back-wages?

II Has the above management to pay arrears of salary of Rs. 984-83 to the said worker for the period from July 1964 to May, 1966?

2. The cause of the aggrieved workman has been sponsored and espoused by The Karnatak Automobile and Engineering Workers' Union, Mangalore represented by its Secretary. Sri T. P Rao, Secretary appeared for the I Party while Sri J. J V. Fernandis appeared for the II Party. In response to the notices issued by the Court the parties have filed their pleadings, dated 1st March 1967 and 9th April 1967 respectively. I need not describe the pleadings in detail for the reason that when the case was taken up for hearing at Mangalore camp on 23rd September 1967, the representatives of the parties filed a joint memo of settlement. The same was duly verified by me. As per the memo of settlement the II Party has agreed to pay a sum of Rs. 410 to the aggrieved workman on or before 25th October 1967 and the workman has accepted it in full and final settlement of his claims.

AWARD.

The reference is accepted. An award is made in terms of the settlement dated 23rd September 1967. The same be made a part of the award. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place: Hubli

Date: 29-9-1967.

ANNEXURE.

IN THE LABOUR COURT AT HUBLI.

I. D. L. C H. 23/67

Between:

The Workman of Warner Transport, Valencia, Mangalore 2 represented by the Karnataka Automobile and Engineering Workers' Union, Maidan Cross Road, Mangalore. ... *I Party.*

and

The Management of Warner Transport, Valencia, Mangalore-2. ... *II Party*

Joint-Memo

The parties to the above dispute submit as follows :—

That they have settled the matter out of Court and the II Party has agreed to pay a sum of Rs. 440 (Rupees four hundred and forty only), to the I Party workman and the payment has to be done on or before 25th October 1967 by the II Party to the I Party in full and final settlement of account.

Pray for orders accordingly and the award may be passed accordingly.

(Sd.)
II Party

(Sd.)
I Party
(T P. Rao)
Secretary,
K. A. & E. W. Union,
Mangalore

Dated 23rd September 1967
Mangalore.

Sri T. P. Rao, Secretary of the I Party union and Sri J J. V. Fernandis representative of the 2nd Party admitted before me the execution of this joint-memo. Hence verified. File.

(Sd.)
for I Party

(Sd.)
for II Party

(Sd.)
(Syed Aziziddin Ahmed)
23-9-67

Date : 29-9 1967
Place : Hubli.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ORDER

Bangalore, dated 31st October 1967.

S.O. 2060.—WHEREAS by State Government Order No. LMA 44 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workman and the Management of M/s. Warner Transport, Valencia, Mangalore was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 44 LLD 67.]

By Order and in the name of the Governor of Mysore,

1324 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Sri Krishna Rice & Saw Mills. Coondapur.

Award of the Labour Court, Hubli—Published.

Read the following papers :—

(1) Letter No. 230/67-68, dated 16th October 1967, from Shri,Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated this 16th day of October 1967.

Reference (ID) (LCH) No. 44 of 1967.

Present:

The Workmen of Sri Krishna Rice and Saw Mills, Coondapur represented by The General Secretary, Bharatiya Mazdoor Sangh Mangalore.

I Party.

and

The Management of Sri Krishna Rice and Saw Mills, Coondapur.

... *II Party.*

This is a reference U/s 10(1)(c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 339 LLD 67, dated 15th June 1967. The points of dispute referred for adjudication are as follows :

I. Are the management of Sri Krishna Rice & Saw Mill, Coondapur, justified in terminating the service of Sri U. Shiva Rao ?

II. If not, is the worker entitled to reinstatement with back wages or to any other reliefs ?

2. The cause of the aggrieved workman has been sponsored and espoused by the Bharatiya Mazdoor Sangh, Mangalore represented by its General Secretary, Sri Prabhakar Ghate appeared by the I Party while Sri K. S. Rao appeared for the

second. In response to the notices issued by the Court, the I Party has filed its claim statement, dated 5th July 1967 and the IInd its Counterstatement dated 15th July 1967.

3. The case of the I Party is that Sri U. Shiva Rao was employed as a foreman by the II Party on 16th November 1965 on a monthly salary of Rs. 125/-. The appointment was made with an assurance that his salary would be raised to Rs. 150/- after a period of two months. The actual designation of the aggrieved workman was that of a Clerk but mostly he performed the work of a foreman. The management refused him work on 30th August 1966 without any reasonable cause and without previous notice. They did not pay him salaries for the months of June, July and August, 1966. It was prayed that the aggrieved workman may be reinstated with full back-wages from 31st August 1966 and he may be paid the arrears of salary.

4. The case of the II Party is that the aggrieved workman was appointed temporarily as a Clerk on a monthly salary of Rs. 125/-. The Rice and Saw Mill is a seasonal business and practically the factory remains closed from about May up to the end of August. The aggrieved workman was never employed as a foreman. At the close of the season *i.e.*, on or about 21st May 1966 his temporary employment automatically came to an end and the management paid him Rs. 80/- on 21st May 1966 being the salary from 1st May 1966 to 20th May 1966 and a further sum of Rs. 45/- was paid to him *ex-gratia* in full and final settlement of his claim. The points of dispute specified in the order of reference were adopted as the issues in the case. The parties examined one witness each and filed the documentary evidence in their possession.

FINDINGS

The important point that arises for determination is whether the management was justified in terminating the services of the aggrieved workman from 30th August 1966. M. Laxman, M.W.1 is none other than the manager of the II Party concern. He deposed that the manufacturing process of the factory had begun from 12th November 1965. It is only a sawing factory. Sri U. Shiva Rao was employed for the season since the sawing process is a seasonal business. He used to do the work as a clerk *i. e.*, writing accounts etc. He had no technical knowledge to work as a Foreman. His account was settled as per Ex. M-1. He

was given job for some time as he had asked for it and the factory was functioning then. U. Shiva Rao, W. W. 1, the aggrieved workman admitted in his examination-in-chief that in all the sawing factories there is no sawing work during the rainy season. He used to write accounts, prepare the sawing list, sawing charges list and perform the foreman's duties of measuring of logs, giving the logs to the sawing section according to varieties and sizes and write the numbers. As usual he went to the factory on 30th August 1966 and started doing work. He began to write sawing book at that time, the Manager told him that the proprietor Mr. Nayak had said that his services were no more required. He did not give any reasons. The witness admits the execution of the receipt Ex. M-1 but maintained that the portion marked as Ex. M-1 (a) "Salary from 1st May 1966 to 20th May 1966 Rs. 80 and additional Rs. 45 paid as fres and relieved him from the job from 21st May 1966 with all claims in full settlement" have been added. Ex. M-5 is his application for appointment. Herein he writes:

> "Being given to understand that there are vacancies for the posts of clerks, Accountant and Manager in your Saw Mill which is to be opened shortly at Maddugudde Road, Coondapoor. I beg to offer my services for one of them."

It is significant to note that there is no mention here of the post of foreman. It is indeed presumptuous on his part to say that he was employed as a foreman when he had not applied for a foreman's job. From the nature of duties described by him, it appears that he was working as a clerk only. The factory, being a seasonal factory, the appointment was only for the season. There seems to be much force in the argument of the learned representative of the II Party that the aggrieved workman was appointed temporarily during the sawing season. His services having been dispensed with from 21st May 1966, he cannot lay claim for salary after that period. The points of dispute are decided in favour of the II Party.

AWARD

The management of Sri Krishna Rice & Saw Mills, Coondapur is justified in terminating the services of Sri U. Shiva Rao. He is not entitled to reinstatement with back wages or to any other relief. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,

Place : Bangalore Camp — *Presiding Officer,*

Date : 16-10-67. — *Labour Court, Hubli.*

ANNEXURE

Reference

(ID) (LCH) No. 44 of 1967.

Witnesses examined for I Party

W.W 1 — U. Shiva Rao

Witnesses Examined for II Party

M.W. 1 — M. Lakshman

Documents marked for I Party

Exhibits:

W-1 — Copy of letter dated 31st August 1966 from W.W. 1 to II Party.

Documents marked for II Party

M-1 — Stamped receipt dated 21st May 1965 for Rs. 125/- executed by W.W. 1.

M-2 — Reply dated 10th September 1966 from II Party to W.W. 1.

M-3 — Notice dated 29th October 1966 from A.L.C. Mangalore.

M-4 — Letter dated 9th November 1966 from II Party to A.L.C. Mangalore.

M-5 — Application dated 23rd August 1965 from W.W. 1 to II Party.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place: Bangalore Camp

Date: 16-10-1967.

ORDER.

Bangalore, dated 31st October 1967.

S. O. 2061.—WHEREAS by State Government Order No. LMA 339 LLD 67, dated 13th June 1967, the Industrial Dispute between the Workmen and the Management of Sri. Krishna Rice and Saw Mills, Coondapur was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 339 LLD 67.]

By Order and in the name of the Governor of Mysore,

1325 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Bava Tile & Clay Industries, Mangalore.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers:—

(1) Letter No. 1109-10/67-68, dated 30th September 1967 from Shri A. Panchaksharaiah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE, (MANGALORE CAMP).

Dated: 27th September 1967.

Present:

Shri A. Panchaksharaiah, B.A. (Hons.), LL.B., *Presiding Officer*

I.D. No. 11 of 1967.

The Workmen of Bava Tile and Clay Industries, Ashoknagar, Mangalore. ... ... *I Party*

Vs.

The Management of Bava Tile and Clay Industries, Ashoknagar, Mangalore, ... *II Party*

APPEARANCES

For the I Party: Shri Srinivas, Vice-President, S. K. Title Workers' Union, Bolar, Mangalore.

For the II Party: Shri K. Sashidhar Rao, President, General Managements' Association, Mangalore.

AWARD

This Award relates to the dispute between the workmen and Management of Bava Tile and Clay Industries, Mangalore, about the points noted in the Order of Reference. The dispute is with

regard to the justification of the workmen of the Bava Tile and Clay Industries, Mangalore, in demanding wages for the period of closure of the factory from 1st July 1966 to 2nd October 1966. After the Government referred this dispute under Section 10 (1)(d) of the Industrial Disputes Act, 1967 (Central Act XIV of 1947), the same was registered as I. D. No. 11 of 1967 and notices were taken out to both the Parties to file their respective claim statement and rejoinder.

2. The I Party filed their claim statement through the Secretary, South Kanara Tile Workers' Union, Mangalore on 12th May 1967 justifying their claim for wages for the period from 1st July 1966 to 2nd October 1966. The II Party opposed this claim by their counter statement dated 12th June 1967. Issues were framed and the case was posted for evidence to 25th September 1967 at Mangalore Camp. On 25th September 1967, both the Parties filed a Joint Memo signed by both the Parties thereby they reported a settlement in terms of their Memo.

In the interest of maintaining industrial peace in the industry, both the Parties have agreed for the settlement and the I Party has agreed not to press the dispute and in terms of this settlement, both the Parties have prayed for an Award being passed. Accordingly, I pass an Award rejecting this Reference in terms of the Memo filed by both the Parties. The Memo of Settlement will be a part of the Award itself.

3. Under the circumstances, each Party will bear own cost.

A. PANCHAKSHARIAH

Presiding Officer,
Industrial Tribunal,
Bangalore.

25-9-67

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, BANGALORE.

I. D. No. 11 of 1967

Between.

Workmen of Bava Tile & Clay Industries, Mangalore. ... *I Party*

and

The Management of Bava Tile & Clay Industries, Mangalore. ... *II Party*

MEMO

Both the Parties to the above dispute state as follows :--

1. The workmen of Bava Tiles I Party represented by the S. K. Tile Workers Union, entered into agreement with the Western India Tile Manufacturers Association, Mangalore of which II Party is the member and the signitory to the settlement which expires on 31st December 1967.

2. Both the Parties *inter alia* agreed not to refer the dispute whether the Tile Factory is seasonal or non-seasonal in consideration of which it was agreed by both the parties that I Party workmen shall not claim lay off compensation if the workers are laid off during the months of June, July, August and September each year.

This has been agreed as previously done since several years.

3. That in the interest of maintaining industrial peace in the industry, the I Party does not press the dispute.

Therefore it is prayed that this court be pleased to pass an award in terms of the above settlement without costs.

(Sd.) Srinivas,
I PARTY.

(Sd.) K. Sashidhar Rao,
II PARTY.

Mangalore,
25-9-1967.

" True Copy

A. PANCHAKSHARIAH,
Presiding Officer,
Industrial Tribunal,
Bangalore.

ORDER

Bangalore, dated the 25th October 1967.

S. O. 2063.—WHEREAS by State Government Order No. FCI, 750 LLD 67, dated 25th October 1967, the Industrial Dispute between the Workmen and the Management of Bava Tile & Clay Industries, Mangalore was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FOL 750 LLD 67.]

By Order and in the name of the Governor of Mysore,

1854 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Bangalore Woollen, Cotton & Silk Mills Co., LTD., Bangalore.

Award of the Labour Court, Bangalore—published.

Read the following papers :—

(1) Letter No. 759/67-68, dated 9th October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 9th day of October 1967.

Present

Sri P. T. Kadkol, B.Sc., LL.B. — Presiding Officer.

Reference No. 36 of 1966.

Workmen represented by the Secretary, Binny Mills Labour Association, Cottonpet, Bangalore-2. ... *I Party.*

And

The Management of Bangalore Woollen, Cotton and Silk Mills Co., Ltd., Bangalore. *II Party*

Reference :

Government Order No. PLM 110 LLD 65, dated 28th June 1966

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the Workmen and the Management of M/s. Bangalore Woollen, Cotton and Silk Mills Ltd. Bangalore, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. PLM 110 LLD 65 dated 28th June, 1966, setting out the following points of dispute for adjudication.—

"I. Are the Management of the Bangalore Woollen, Cotton and Silk Mills Co., Ltd., Bangalore, justified in terminating the services of the following five workmen,

Viz., 1. Sri Madaiah, 2. Sri. Devaiah, 3. Sri. Kuppuswamy 4. Sri Ekambaram and 5. Sri Ramanatha.

II. If not, are they entitled to be reinstated with continuity of service and backwages or to any other relief ?"

2. The cause of the aggrived workmen has been sponsored by the Binny Mills Labour Association, Bangalore. It is a registered Trade Union. This Union, as representing the Workmen, is the First party. The Mangament of the Bangalore Woollen, Cotton and Silk Mills Company Limited, Bangalore, is the Second Party.

3. The Order of Reference is dated 28th June 1966. The dispute relates to the termination of the services of five workmen, namely.—

1. Madaiah
2. Devaiah
3. Kuppuswamy
4. Ekambaram
5. Ramanatha.

4. During the course of these prsceedings, there has been a settlement of the dispute between the Union (First Party) and the Management (Second Party) with respect to the dispute relating to the termination of the services of Madiah, Devaiah, Ekambaram and Ramanatha. The settlement is dated 26th May 1967. It is marked Ex. A. It has been signed by the President and the Seeretary of the Union on behalf of the First Party and the Managing Director of the Mills, on behalf of the second party. The settlement has also been admitted before me in Court on 24th June 1967 as noted by me below Ex. A as also in the order sheet of date. Under the settlement, Ex. A. the Management has agreed to reinstate Ramanatha and the Union has given up its demand for the reinstatement of Madiah, Devaiah and Ekambaram. Considering the fact that these workers were dismissed after being found guilty at a domestic enquiry, I think that the terms of the settlement are fair and reasonable and conducive of an industrial peace. Hence I accept this settlement Ex. A and make an Award, in terms thereof, between the Management on the one hand and the four workmen represented by the Union, on the other.

5. This settlement does not cover the case of the aggrieved workmen, Kuppuswamy. The Union has withdrawn its support to Kuppuswamy from the date of the settlement Ex. A as can be seen

from paragraph No.3 thereof. Kuppuswamy stated before me on 20th June 1967 (vide Order Sheet) that he would prosecute his dispute. He has been permitted to engage Advocate Mr.K.Subba Rao to represent him.

6. Kuppuswamy has not given any fresh claim statement after the Union withdrew its support. He has adopted the claim statement and rejoinder submitted by the Union, on his behalf.

7. The averments made in the claim statement dated 26th August 1966, with respect to Kuppuswamy are these.—

> "His duty consisted in staking of pieces of cloth produced for purpose of checking and examination. Those pieces have to be staked on planks meant for the purpose. He simply and implicitly obeyed the orders of all his supervisors including the maisthry in charge. He was found fault with for a very trival matter, for no fault of his inspite his scrupulously carrying out the intimations of hisimmediate supervisors. He has not committed any misconduct as alleged. No independent witnesses are examined. The enquiry is one-sided, perfunctory, improper and absolutely unsustainable, either on facts or on law as stated *supra*. He is young full of life and is victimised for no fault of his. He is put to untold hardship and annoyance for want of employment. He is entitled for reinstatement, with all backwages continuity of service and benefits from the date of disscharge till the date of his reinstatement. The termienation is to say the least any thing but justified. He was charge-sheeted on 6th November 1963 and his services were unjustly terminated on 10th November 1963."

8. The contentions raised by the Management, in its statement of objections dated 19th September 1966 with respect to Kuppuswamy are these:

> "a) On 3rd November 1963 at about 9-15 a. m Kuppuswamy behaved in an insolent manner towards the Warehouse Master who was his Superior Officer. He was, therefore, given a charge-sheet on 6th November 1963 charging him with misconduct falling under Standing Order No.13 (11) *i.e.* act subversive to discipline. He submitted a written explanation on 8th November 1963. An enquiry was then held by the

Mill Manager in the presence of Sri Kuppuswamy on 10th November 1963 when he was given full opportunity to cross examine the witnesses examined in support of the charge and to produce his own witnesses. On a proper assessment of the evidence tendered at the enquiry, the Mill Manager came to the conclusion that the charge laid against Sri Kuppuswamy had been proved. Taking into account the gravity of the misconduct which had been proved at the enquiry and his past conduct, which was not satisfactory, the Mill Manager found him not a fit person to remain in the employment of the Company and terminated his services by payment of one month's wages and dearness allowance in lieu of notice.

b) The proceedings of the enquiry will establish that the termination of the workmen's services was fully justified.

c) A copy of each of the charge-sheet, written explanation of Sri Kuppuswamy, notice of enquiry, proceedings of the enquiry, order of termination of service, vouchers for acceptance of payment of arrears of pay and Provident Fund are annexed hereto as annexures D1, D2, D3, D4, D5, D6 and D7."

9. The averments made in the rejoinder dated 3rd October 1966, by the Union, with respect to Kuppuswamy are these:—

"(a) That the charge as per D. 1 is inconveniently vague and absolutely general. The particular act done by the employee which is subversive of discipline as per Standing Order 13 (ii) is not made out in the charge D. 1.

(b) That the worst the act alleged, *viz.*, shouting at the Ware House Master would be brought under Standing Order 14 clause (2) sub-clause (iv) (f) or (h) and would only warrant a warning at the hands of the Manager. The punishment of dismissal given is too severe and heart rending, and the same by no means can be deemed to be proper and proportionate to the gravity of the offence involved. This incident is the first of its kind in the life of Kuppaswamy in the Mills. The punishment afforded is too drastic and disproportionate. The worker concerned claims to have an unblemished and an absolutely clear record of service.

(c) That the facts which lead to the incident are unequivocally incorporated in clear terms in D2 the explanation submitted so far back as on 8th November 1963 and speaks volumes for itself.

(d) That the incident and the words exchanged do not warrant in any manner a case of subversive to discipline and the worker never behaved in any insolent manner and admittedly he was directed by the Master to the Manager only for a warning.

(e) That even a regret of the incident is also expressed by the worker and condonation of the lapses, if any, is prayed for.

(f) That the Mill authorities have automatically dealt with the incident to the great risk and cost of the very life of the worker who is deprived of his employment inspite of his loyal service for 2 years and more.

(g) That the very words and action that resulted in the inference of the matter being subversive of discipline is not mentioned anywhere in the proceedings except the explanation of the worker, D. 2.

(h) The extenuating circumstances involved, *viz.*, the want of space to stack the pieces and high mounting of the pieces already stacked and the worker always speaks in a loud voice have not been given their due consideration.

(i) That what is it that amounted to the insolent behaviour is not forthcoming even from the Manager.

(j) That the very version of the Manager and the Ware House Master Viraraghavan are utterly contradictory to each other.

(k) The charge itself is not only supremely vague but also is very improper and unjust even according to the very evidence of the Ware House Master himself.

(l) That the words admittedly said to have been uttered cannot by any stretch of imagination be termed as insolent. The words even if they are admitted to have been uttered are "you do not understand our difficulties" "You think we are all slaves?" "You do not know how to treat us". "Are we not human beings?" etc. None of these words could be said to impute insolence, under any stretch of imagination.

(m) That even the alleged aggressive attitude and the alleged gestures are not true and even if true they do not merit and warrant the worst treatment of dismissal. The dismissal makes manifest the conduct of the official superiors and amply justified the very significant fact they do not know how to treat the workers. The punishment is too drastic to be upheld by this Hon'ble Court.

(n) That evidently the representation perhaps made in a loud voice as he was habituated for the loud tone on account of his working among machines while a mazdoor is unfortunately mis-understood for insolence.

(o) The charge is conveniently vague and does not mention the conduct of the worker complained of. Admittedly the alleged insolent behaviour is subsequent to the alleged conduct of the worker.

(p) The past records have not been taken into consideration. The record is not produced in the enquiry. More than all the best evidence in the case of what happened on the occasion, *viz.*, the Ware House Master's immediate complaint in writing admittedly written down in the query book to the Mill Manager about Kuppaswamy's behaviour in the office is no produced and marked in the enquiry proceedings.

(q) That too much is made of the sick leave availed of as the same was inevitable on account of the fracture of the finger of Kuppaswamy while he was working in the mechanical department turning section. The E. S. I. records amply justify the statement made above.

(r) The Manager was wrong in having relied more on the oral statement of the departmental officer rather than the actual entries maintained in the records. This fact has, extremely, jeoparadised the case for the worker."

10. On 5th November 1966, when questioned, Mr. Sadagopan for the Management submitted that he would not lead any additional evidence in support of the charge against the delinquent.

Hence only the following additional issues have been framed and set down for hearing :—

(1) Does the First Party prove that the findings recorded at the domestic enquiry and the order of termination based on them are liable to be set aside on any or all of the following grounds :—

(a) The Management's actions are lacking in *bona fides*;

(b) It is guilty of victimisation or unfair labour practice;

(c) The enquiry held and orders passed are basically erroneous or are in violation of the principles of natural justice ;

(d) On the facts placed on recerd they are completely baseless or perverse.

(2) Are the delinquent workmen or any of them entitled to reinstatement with or without back wages and continuity of service ?

(3) What Award ?

These issues were framed when the settlement at Ex. A. had not yet been reached between the parties, so as to cover all the five aggrieved workmen. Now they may be taken to have been framed only with respect to the aggrieved workman, Kuppuswamy.

11. Parties were asked to lead evidence with respect to these issues and they have done so. Kuppuswamy has examined himself as W. W. 1. For the Management Sadagopan has been examined as M. W. 1. The records of the domestic enquiry have been marked in evidence as Exts. M. 1 to M. 4, by common consent.

12. Before proceeding to discuss the issues formulated above, it is necessary to consider one basic contention raised by the Management, but about which, it has not sought any issue. Before making the present order of reference on 28th the Government of Mysore had refused twice—once on 17th June 1966, August 1964 and again on 21st August 1965—to refer the present dispute for adjudication, under the Industrial Disputes Act. Both the orders have been produced by the Management as Annexures A1 and A2 to the statement of objections. On the basis of these orders, it is contended by the Management that the present reference is arbitrary and bad and this Court cannot adjudicate upon it. It is admitted by Mr. Subba Rao for Kuppuswamy that Government had, on two previous

occasions, declined to refer this dispute for adjudication. Hence the question for decision would be whether the present reference is bad in view of the two earlier orders of the Government declining to refer it for adjudication. On this question, we have two decisions of the Punjab High Court and one of our own High Court. They are :—

(1) 1964 (I) LLJ 644 (Punjab) ... Rawalpindi Victory Transport Co., (P) Ltd., *Vs.* State of Punjab.

(2) 31 F. J. R. 266 (Punjab) ... Gandhara Transport Co., (P) Ltd., *Vs.* State of Punjab.

(3) 1963 (2) LLJ 717 (Mysore) ... Vasudev Rao (B.K) *Vs.* State of Mysore.

In the first mentioned case, the Punjab High Court has held that the fact that appropriate Government had refused to refer an industrial dispute for adjudication could not bar the Government from subsequently referring the same dispute for adjudication. In the second mentioned case, the same High Court has taken the contrary view. But our High Court, in the third mentioned case, has held that Government is quite competent to make a reference in such circumstances. It has held that the Government may re-examine the matter, whether in the light of fresh material or otherwise and make a reference if it comes to the conclusion that the Reference is justified, in the interest of industrial peace. It has further held that it is not necessary to examine the reasons which made Government to reconsider its prior order, since it is a matter entirely within the State Government's competence. In view of this decision of our High Court, the contention of the Second Party Management shall have to be rejected and it be held that the present reference is not bad. I do so and proceed to examine the other issues in the case.

13. Admittedly, Kuppuswamy has been dismissed, after being found guilty of misconduct, at a domestic enquiry. The Management has chosen to rely on the enquiry held by it and the findings recorded therein. It has not chosen to lead any additional evidence in support of the charge against the delinquent. Hence, this court would not be competent or justified to interfere with the findings and the order recorded at the domestic enquiry, unless it finds that —

(1) there was lack of good faith ;

(2) there was victimisation or unfair labour practice ;

(3) the Management has been guilty of a basic error or violation of principles of natural justice ; or

(4) on materials placed on record the findings are completely baseless or perverse.

These principles have been laid down by the Supreme Court in Indian Iron and Steel Company Ltd., *Vs.* Their workmen (1958-I-LLJ 260). The same principles have been reiterated in many subsequent decisions and notably in :—

(1) 1959 (I) LLJ 285 — G. McKenzie and Co., *Vs.* Its Workmen.

(2) 1965 (I) LLJ 462 ... Hind Construction and Engineering Co., Ltd., *Vs.* Their Workmen.

The observations made in the second mentioned case are these :—

> "It is now well settled that the Industrial Tribunal is not to examine the finding or quantum of punishment because, the whole of the dispute is not really open before the Tribunal as it is ordinarily before the Court of appeal. The industrial tribunal can only interfere if the conduct of the employer shows lack of *bona fide* or victimisation of the employee or unfair labour practice. The Tribunal may in a strong case interfere with a basic error on a point of fact or a perverse finding, but it cannot substitute its own appraisal of the evidence for that of the Officer conducting the domestic enquiry, though it may interfere where the principles of natural justice or fair play have not been followed or where the enquiry is so perverted in its procedure as to amount to no enquiry at all....."

14. The first issue framed by me is based on these decisions of the Supreme Court. It is only when the Management adduces additional evidence before the Tribunal that it is deprived of the benefit of having the findings of the domestic Tribunal being accepted as *prima facie* proof of the alleged misconduct of the concerned workman unless the finding is perverse and it has to prove to the satisfaction of the Tribunal that the workman is guilty of the alleged misconduct. This is the principle laid down in Bharat Sugar Mills Ltd., *Vs.* Jai Singh (1961-2-LLJ 644). Since the Management has not led any additional evidence before

this Court, I have to restrict this enquiry to the points set out by the Supreme Court, as justifying grounds for interfering with the order passed in the domestic enquiry.

15. Utmost emphasis has been laid in all decisions on one important requirement in the domestic enquiry. It is, that the domestic enquiry should not be violative of any of the principles of natural justice. The leading decision of the Supreme Court on this point is in Union of India *Vs.* Verma (1958-2-LLJ 259). It has been laid down therein that rules of natural justice require that the delinquent should have the opportunity of adducing all relevant evidence on which he relies; evidence of the opponent should be taken in his presence; he should have an opportunity of cross-examining the witnesses examined by the opposite party; and no material should be relied upon against him without his being given an opportunity of explaining them. If these conditions are satisfied, the enquiry is not open to attack on the ground that the procedure followed is not strictly according to Evidence Act. Similar principles have been laid down in Associated Cement Companies Ltd., *Vs.* their Workmen (1963-2-LLJ 396). The essentials of a domestic enquiry as laid down in Sur Enamel and Stamping Works Ltd., *Vs.* their Workmen (25 F. J. R. 38) are :—

(1) The workman proceeded against should be clearly informed of the charge levelled against him;

(2) The witnesses should ordinarily be examined in the presence of the workman in respect of the charges ;

(3) The workman should be given a fair opportunity to cross-examine the witnesses ;

(4) he should be given a fair opportunity to produce witnesses including himself in his defence, if he so wishes, on any relevant matter, and

(5) The enquiry officer should record his findings with reasons therefor, in his report.

Considering the sequence of these requirements, it can be inferred that the normal procedure to be followed should be that before the delinquent is examined or called upon to lead evidence in his defence, the Management should examine its witnesses and adduce such other evidence as it wants to and give an opportunity to him to test it by cross-examination. This inference is fully supported by the decision of the Supreme Court in Associated

Cement Companies Ltd., *Vs.* their Workmen (1963 II LLJ 396), where it has been observed :—

> "It is further necessary to emphasise that in domestic enquiries, the employer should take steps first to lead evidence against the workman charged, give an opportunity to the workman to cross-examine the said evidence and then should the workman be asked whether he wants to give an explanation about the evidence led against him. It is not fair that in domestic enquiries against industrial employees, the employee should be, at the very commencement of the enquiry closely cross-examined even before any evidence is led against him. In dealing with domestic enquiries the fact should be borne in mind that in a large majority of cases, employees are likely to be ignorant and so it is necessary not to expose them to the risk of cross-examination at the very commencement of the domestic enquiry."

16. With this legal position at the background, I now proceed to examine the records of enquiry, which are not in dispute. They are marked Exts. M-1 to M-4.

17. Ex. M.1 is the charge sheet issued to Kuppuswamy. It is dated 6th November 1963. In the first part of this charge sheet, Kuppuswamy has been informed that he had committed a misconduct (as per particulars that follow) falling under Standing Order No. 13, sub-clause 11, the punishment for which was summary dismissal. He has been called upon to submit a written explanation in his defence by 10 A. M. on 8th November 1963. Then follow the particulars of the misconduct as under :—

> " Standing Order 13 (11) Conduct subversive to discipline in that you on 3rd November 1963, at about 9.15 A.M. behaved in an insolent manner towards the Ware House Master by shouting at him and creating a disorderly scene in the Ware House Office."

The charge sheet is signed by the Mill Manager. Kuppuswamy has received the charge sheet and acknowledged it by his signature Ex. M.1 (a).

18. Kuppuswamy has given his written explanation on 8th November 1963, in respect of the charge sheet at Ex. M.1. The explanation is Ex. M.2. He has stated therein (in the first

para) that on 3rd Novemer 1963, he was doing the job of taking the pieces and supplying them to the examiners from the plating machines; he had mounted some pieces already and there was no place to keep the others; hence he started stacking the pieces in between the places already mounted; seeing this, the Assistant Ware House Master, Mr. Allum, asked him not to keep the pieces in between those already stacked and to remove the ones already stacked; he also pointed out a place to stack them but no room was available there, meanwhile the plating machineman shouted at him to clear the pieces from his table; he thought it necessary to clear that table first; hence he again stacked some pieces between those already mounted: Mr. Allum then thought that his orders had been disobeyed and started abusing him (Kuppuswamy). Mr. Allum asked him to follow him to the room of the Ware House Master. As to what happened in the room of the Ware House Master, has been stated thus by Kuppuswamy:—

> "On coming before the Ware-house Master, Shri Allum narrated his version of the incident to the Master. The Master, immediately asked me to go to the Manager for final warning. I submitted to the Master to provide me an opportunity of narrating my position, which was summarily rejected. I may submit in this connection that the very cardinal principle of Natural Justice has been denied to me and the Master told me that I am just a Mazdoor and should not talk. I was left to no other alternative than to submit to him that I am a human being and I am not a slave and it is but fair that I should be heard before anything is finally decided. The submission of mine seems to have irritated the Master. I have not conducted in a manner which may be termed as "subversive to discipline" and I never behaved in an insolent manner towards the Ware house Master by shouting at him and creating a disorderly scene."

Thereafter, Kuppuswamy has added that if the Authorities were to construe that his humble request for being heard before taking a decision was "subversive of discipline" and "insolent behaviour", he regretted it. Thereafter, Kuppuswamy has added:—

> "However, I may add in this connection that I have put in about two years of service and I have not committed any mistakes and lapses so far and I have kept my

behaviour within the four walls of discipline. I, however, assure your goodself that I endeavour my best not to give room for such an act being recurred in future. In the circumstances, I most humbly request your goodself to consider my case most sympathetically and condone the lapses on my part and to drop further proceedings in this behalf."

19. It appears that this explanation at Ex. M. 2 did not satisfy the Management. Hence the Mill Manager issued him the Notice at Ex. M. 3 stating that an enquiry would be held against him with respect to the charge on 10th November 1963 at 9-30 A. M. and he would be given full opportunity to defend himself and to cross-examine the Management witnesses and examine his own witnesses. He was also asked to give the names of his witnesses before the commencement of the enquiry. Kuppuswamy has received this notice on 9th November 1963, under his signature marked Ex M. 3 (a).

20 The proceedings of enquiry are at Ex. M. 4. The enquiry has been held by the Mill Manager, Mr. Greenwood. Mr. D. Sadagopan, Assistant Personnel Officer is also shown to have been present at the enquiry. The first man to be called at the enquiry was Kuppuswamy. To the first question, Kuppuswamy has stated that he wished to be examined in Tamil. In answer to the second, he has given his name, Ticket Number, Job etc; Thereafter Mr. Greenwood has explained to Kuppuswamy the charge against him with full particulars as contained in Ex. M. 1; then he has brought Ex. M. 2 to the notice of Kuppuswamy, in detail; thereafter he has explained to Kuppuswamy, the contents of the notice Ex. M. 3. At the end Mr. Greenwood has asked Kuppuswamy.

Question :—I have used your own words. Do you wish to add anything or to amend anything that you have already said at this stage?

In reply Kuppuswamy started to state his account regarding the stacking of the pieces. But Mr. Greenwood told him that the charge against him was not of stacking pieces in a wrong place but one of behaving in an insolent manner towards the Ware House Manager. After this Greenwood has asked Kuppuswamy whether he had "nominated" his witnesses. Kuppuswamy has stated that he had none.

21. After this, Mr. Viraraghavan has been examined as a Management witness. He has given an account of what happened He is the Ware House Master. At the end Kuppuswamy has been asked to cross-examine Viraraghavan. Kuppuswamy has stated that he had no questions to put toViraraghavan. He has also stated that Viraraghavan had no enmity against him. He has also added that it was his habit to speak in a loud voice.

22. Then Mr. Allum has been examined as the second witness for the Management. He has given an account of what had happened. Opportunity has been given to Kuppuswamy to cross-examine him. Kuppuswamy has asked two questions to Allum. Then he has stated that Allum does not bear any enmity against him.

23. Thereafter, Mr. B. S. N. Moorthy has been examined as the third witness for the Management. He too has given his own account. Kuppuswamy has cross-examined him. He has also stated that this witness also does not bear any enmity towards him.

24. Immediately after this Mr. Greenwood has called back Viraraghavan and elicited from him, the past record of service of Kuppuswamy. He has spoken about Kuppuswamy's absence without leave on a number of occasions and his being warned for it on 9th September 1963. He has also spoken of another occasion when Kuppuswamy had behaved similarly as on the present occasion and how and why he had excused him (Kuppuswamy) on that occasion. After Viraraghavan gave this account, Mr. Greenwood has not asked Kuppuswamy whether he wanted to cross-examine him (Viraraghavan). Mr. Greenwood has also not asked Kuppuswamy, if he had anything to say regarding the evidence led so far against him. He has also not asked Kuppuswamy, at this stage, if he wanted to examine any witnesses in his defence. Straightway Mr. Greenwood has summed up the evidence in all details to Kuppuswamy and told him that he had found him (Kuppuswamy) guilty of the charge and that his misconduct had become aggravated in view of the fact that his insolent behaviour was entirely unprovoked and that there was no extenuating circumstances. The last two paragraphs run as under :—

> "The only question which remains for me is to decide what punishment should be given to you. While looking into your service records, I find that you are educated

up to S.S.L.C. Being an educated person, a better behaviour is expected of you. Further, you heard the Departmental Officer inform me during the course of this enquiry that you had been warned by him for absence for 3 days without leave or permission and that you had availed within a span of about 6 months, 25 days sick leave No. 9. Much more than all of these, he had let you off only a month earlier for behaving insolently towards him purely because of the request of the departmental workers' representative.

Under the circumstances, I do not consider that you are a fit person to remain in the employ of the Company and I therefore terminate your services with immediate effect on payment of one month's wages and dearness allowance in lieu of notice."

25. A copy of the certified standing orders of the second party management has been supplied to me and it has been included in the records. Kuppuswamy has been charged for misconduct under Standing Order No. 13 (11) which runs as under :—

"Drunkeness, riotous or disorderly behaviour during working hours, in the Mill premises or any act subversive of discipline.....is misconduct for which the punishment may be suspension or dismissal."

26. Mr. Subba Rao, the learned Advocate for Kuppuswamy contended in the first instance that the charge framed against him in Ex. M-1 is very vague in as much as the particulars of the misconduct have not been set out therein. According to him a gist of what happened and what constituted misconduct should have been given in Ex. M-1. I do not think that it was necessary for the Management to do so, though it was desirable to do so. If we read Ex. M-2 we find that Kuppuswamy has not been in the least handicapped or misled by the omission of the particulars in Ex. M-1. The case of the management is that when Mr. Allum took Kuppuswamy to Mr. Viraraghavan and complained against him orally and Mr. Viraraghavan asked the time clerk to bring his record cards, Kuppuswamy flared up and started shouting "you do not find out our difficulty; you do not listen to our grievances." Then Mr. Viraraghavan told Kuppuswamy that he would be heard. Still Kuppuswamy continued in the same strain and said "you think we are all slaves? You do not know how to treat us. Are we not human beings?" Kuppuswamy was not only shouting at the top of his voice but was also gesticulating

with his hands in a wild manner. Then Viraraghavan found it impossible for him to control Kuppuswamy and wrote to the Mill Manager.

27. Though these particulars have not been given in Ex. M 1, Kuppuswamy has covered the entire ground of the charge in Ex. M–2. He has said in Ex. M–2 that he was not left with any alternative but to submit to Viraraghavan that he (Kuppuswamy) was a "human being and was not a slave". In his affidavit (W.W. 1) before me also he has stated :—

> "As the warehouse master refused to hear me and snubbed me saying you are a mazdoor, you shall not talk, I said in my humble way. I am not a slave and that I am also a human being and I should be heard."

Kuppuswamy has admitted in substance, what he is alleged to have said. He has also stated that it is his habit to speak in a loud voice.

28. After going through the records and considering what Kuppuswamy has said in Ex. M–2 and also in his affidavit, I do not think that want of particulars in Ex. M–1 has prejudiced his defence in any way. Both parties are practically agreed as to the words employed by Kuppuswamy in the presence of and to, Mr. Viraraghavan. The words employed by Kuppuswamy, uttered in a submissive tone as now stated by him, need not offend anybody except a super sensitive person, enamoured of his own power, authority and notions of dignity. The same words, uttered in a fit of temper and accompanied by the gesticulations of hand, would give them a complex of insolence and disorderly behaviour and amount to acts subversive of discipline. According to the management witnesses, Kuppuswamy uttered the words in a shouting voice accompanied by gesticulations and the enquiry officer, Mr. Greenwood them. It is not open to me to sit in judgment over Mr. Greenwood and re-asses the evidence.

29. Then Kuppuswamy has stated that he was not given sufficient opportunity to cross-examine the management witnesses. The records of enquiry, however, belie him. No material has been placed before me to hold or at least give room for a reasonable inference that the records do not show a correct state of affairs or are false.

30 Likewise, there is no material to hold or infer that the action taken by the Management was lacking in *bona fides*. The question of unfair labour practice does not arise, since no ulterior

motive is attributed and much less proved to exist. The recognised principles of natural justice have been followed (except to the extent indicated below) and the findings recorded are possible findings on the basis of the materials placed on record. The findings cannot be considered to be basically erroneous or perverse. Mr. Sadagopan (M W.1) has stated the manner in which the enquiry was conducted and there is no reason to disbelieve him.

31. If we examine the records of enquiry in the light of the principles laid down in 25 F.J.R. 38 (Sur Enamel and Stamping Works Ltd., *vs.* their Workmen), we find that Kuppuswamy has been clearly informed of the charge against him; the Management witnesses have been examined in his presence; opportunity has been given to him to cross-examine the Management witnesses; and the enquiry officer has recorded his findings with reasons therefor.

32. But one step has been omitted during the enquiry and it is this. At the end of the management evidence, it was necessary that Kuppuswamy should have been given an opportunity to say whatever he had say in his defence and about the management evidence led against him. At that stage, he should also have been asked if he wanted to lead any evidence in his defence. This opportunity does not appear to have been given to him. Kuppuswamy had a right to examine himself as his own witness in his own defence. Of course, he has been asked with respect to each management witnesses, whether the witnesses had any enimity against him. Kuppuswamy has stated that the witnesses had no enimity against him.

33. Normally, the omission of this important step should have been sufficient to hold that the enquiry was not proper. But I am not inclined to hold it to be so, in the circumstances obtaining in this case. Kuppuswamy has admitted that he did say the words attributed to him, to the warehouse manager Mr. Viraraghavan and that he is in the habit of speaking in a loud voice. The situation was that Allum had taken Kuppuswamy to Viraraghavan with a complaint, Viraraghavan was about to get the service records through the time clerk. It is but natural that Kuppuswamy had worked himself up by then. But for it, it is not possible or likely that he should say the words attributed to him In their very nature, the words are such, as are usually employed when a person wants to exhibit his resentment to what is going on before him or with respect to himself. In their very nature, the words are also not such as are, or

can be, uttered in a humble or submissive way and that too in a loud tone. Regard being had to the natural course of human affairs, the words should have been uttered by Kuppuswamy in the way and in the manner stated by the Management. So, this would be a case where facts are admitted leaving only the question as to what inference should be drawn. The inference drawn by the enquiry officer, Mr. Greenwood, is that the words exhibit insolence and disorderly behaviour on the part of Kuppuswamy. This is a possible or a likely inference and it cannot be said to be basically wrong or perverse. Hence, in the peculiar circumstances obtaining in this case, I am of the view that the enquiry has been fair and proper. I feel justified in reaching this conclusion on the authority of the decision of the Supreme Court in Workmen of Lambabari Estate *Vs* Lambabari Tea Estate (1966-2-LLJ 315).

33 The Enquiry Officer has held that Kuppuswamy had behaved in an insolent manner by shouting at the warehouse Master and creating a disorderly scene in the warehouse. It is urged for Kuppuswamy that such an act cannot be considered as an act subversive of discipline within the meaning of Standing Order No. 13 (11). But this contention cannot be accepted. The Andhra Pradesh High Court has ruled in 32 F.J.R. 245 (Sri Ramdas Motor Transport Private Limited *Vs.* Labour Court, Guntur) that what is subversive of discipline and what is a silly incident and what is not silly should best be left to the concerned domestic tribunal which is on the spot and is much more acquainted with matters connected with the particular industry and the Labour Court cannot arrogate to itself the role of an appellate Tribunal sitting in judgment over the domestic Tribunal. In the case on hand, this court cannot go into the question whether the facts admitted or proved amount to acts subversive of discipline, when the Enquiry Officer has held that they amount to acts, subversive of discipline. I, therefore, accept the findings of the Enquiry Officer, Mr. Greenwood, that Kuppuswamy is guilty of the charge levelled against him.

34 As held by the Supreme Court in 1965 I LLJ 462 (Hind Construction Company case) and 24 F. J. R. 406 (Bengal Bhatdee Coal Co., case), the Court cannot normally interfere with the punishment imposed on the delinquent found guilty of misconduct. The Gujarat High Court has also observed very recently in 32 F.J.R. 34 (Manekchowk and Ahmedabad Manufacturing Co., *Vs.* Industrial Court, Ahmedabad) that however severe or unjustified

the punishment awarded by the domestic tribunal may appear to the Labour Court or Tribunal and howsoever it may not be inclined to give such puuishment if it had to deal with the matter, it would not be proper to interfere with the order of the domestic Tribunal unless it was shockingly disproportionate to the act of misconduct committed by the workman. The Tribunal has to judge the severity or adequacy of the punishment from the view-point of the employer who has to carry on the administration of a large concern, for which discipline amongst its workmen is of considerable importance. The same principles are required to be adopted in this case also.

35 If we now turn to Standing Order No. 13, we find that it enumerates various acts, the commission or ommission of which amounts to misconduct. Standing Order No. 14 prescribes the kinds of punishment that may be levied. Further on Standing Order No. 14 provides :—

> "In awarding punishment under this Standing Order, the Manager shall take into account the gravity of the misconduct, the previous record of the employee and any other extenuating or aggravating circumstances that may exist."

36 In the case on hand, the Enquiry Officer Mr. Greenwood has taken into consideration the previous record of Kuppuswamy in passing the order of termination of his services. This means that the present misconduct *plus* the past record together have induced him to pass the order that he has passed. Mr. Green wood had every right to take into consideration the previous record of Kuppuswamy, under the Standing Order reproduced above. But he should have done it in the proper way. He should have got the previous record proved according to law. With respect to it, he has examined Mr. Viraraghavan. But he has not given any opportunity to Kuppuswamy to challenge the statement of Viraraghavan regarding his past records of service. This means that Viraraghavan's statement has remained untested by cross-examination. So, the past record cannot be taken to have been proved according to law. Likewise, Kuppuswamy has also not been given any opportunity to say whether Viraraghavan's statement regarding his past record is true or false or reasonably explainable. It may be that Mr. Greenwood might have thought fit to pass this very order of termination, even without going into the past record of Kuppuswamy. But the possibility of his awarding a lesser punishment also cannot be ruled out, altogher. The

decisions of the Punjab High Court in Shri Gopal Mills *Vs.* Industrial Tribunal, Punjab reported in 1963 I LLJ 226, indicating that an order of dismissal which was passed, taking into account past warnings to the delinquents and without giving an opportunity to explain them, was not good and would not be justified. The decision reported in 1964 I LLJ 321 (Railway Board-*Vs*-Niranjan), though on a different point, lays down a similar principle, on analogy. It has been ruled therein :—

> " Even though the concerned employee could be held guilty of one of the two charges, the order of removal based on both the charges, could not be sustained on the ground that one charge alone is sufficient to justify the punishment given to the concerned employee."

37. Mr. Subba Rao has also referred me to the decisions reported in A.I.R. 1964 Supreme Court 506, A. I. R. 1960 Madras 393 and A.I.R. 1957 A. P. 370. All these are cases relating to Government Employees, under Art. 311 (2) of the Constitution of India. They envisage the principle that if the punishing authority wants to take into account the previous record of the delinquent employee, sufficient opportunity should be given to him, to explain them. Though these decisions cannot be relied upon as direct authorities to cover the present case the principles laid down in them can be adopted in industrial cases also, with advantage.

38. In these circumstances, while accepting the finding of the Domestic Tribunal that Kuppuswamy is guilty of the misconduct alleged against him, I am not inclined to retain the order of the termination of his service. I set it aside and direct his reinstatement.

39. Now coming to the issues, I record my finding on the first issue against Kuppuswamy on all its parts. On the second I hold that he is entitled to be reinstated.

40. The question that would now arise would be whether Kuppuswamy be awarded back wages and continuity of service. He is an educated man, studied upto S. S. L. C examination. He has been found guilty of a misconduct, subversive of discipline, by the domestic Tribunal and I have found no grounds to interfere with that findings. I am setting aside the order of termination because it is based on the present proved misconduct and past record and becasuse no opportunity was given to Kuppuswamy to have his say about his past record. In these circumstances, I am of the

view that only an order of reinstatement without back wages but with continuity of service would meet the ends of justice.

41. In the result, therefore, I proceed to make the following Award-

AWARD.

1. The Reference is accepted.

2. An Award is made between the Management of the Second Party and the four aggrieved workmen (1) Madiah (2) Devaiah (3) Ekambaram and (4) Ramanath' represented by the First Party Union, as per the joint memorandum of settlement marked Ex.a, which should be annexed to this Award and be deemed as forming part of it .

3. As between the Management of the Second Party and the aggrieved workmen Kuppaswamy, I make an Award setting aside the order passed by the Management Terminating his services and directing him to be reinstated, without back wages, but with continuity of service.

4. I direct the Management to reinstate Kuppuswamy in his former post, within one month from the date of the publication of this Award in Mysore Government Gazette, provided he offers himself for duty by giving an intimation in writing.

5. Parties do bear their own costs.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

FORM H.

(Memorandum of Settlement under Section 12 (3) of the Industrial Disputes Act 1947 read together with Rule-59 of the Industrial Disputes (Mysore) Rules, 1957)

Name of Parties :

Representing employers: The Bangalore Woollen, Cotton and Silk Mills Co., Ltd., Bangalore City—Represented by

1. P. Thomas, Managing Director

Representing Workmen : (1) E. Kenchiah,
President,
Binny Mills Labour Association, Bangalore City.

(2) D. Venkatesh,
Secretary,
Binny Mills Lobour Association, Bangalore City.

Short recital of the case :

WHEREAS the Management of the Bangalore Woollen, Cotton and Silk Mills Co., Ltd.,terminated the services of Messrs. Madiah, Kuppuswamy and Ramanathan in 1962/63 and dismissed from the service of the Company Messrs. Ekambaram and Devappa in 1961/1963 after due enquiry based on the principles of natural justice.

WHEREAS the Binny Mills Labour Association demanded the reinstatement of Messrs. Madaiah, Devappa, Ekambaram, Kuppuswamy and Ramanathan.

WHEREAS the dispute thus arising out of the said demand was referred by the Government of Mysore by notification No. PLM 110 LLD 65 dated 28th June 1966 to the Labour Court and is registered as case No. I. D.86 of 1965 in the said Court.

WHEREAS the Binny Mills Labour Association proposed that in consideration of their withdrawal of the cases of messrs. Madaiah, Ekambaram and Devappa, that Ramanathan and Kuppuswamy be taken back with back wages and continuity of service, and

WHEREAS the Management did not accept the proposal, and

WHEREAS in order to settle the dispute finally the Management offered to take back Ramanathan only, without back wages but with continuity of service, and the Binny Mills Labour Association accepted this offer.

It is hereby agreed that:

(1) The management reinstate Ramanathan without back wages but take into account the service of 1 year 4 months prior to his termination of service, for reckoning his total service when he again leaves the Company's service.

(2) The Binny Mills Labour Association withdraw the cases of Messrs. Madaiah, Ekambaram and Devappa pending before the Labour Court.

(3) The Binny Mills Labour Association undertake not to represent Kuppuswamy's case or prosecute it before the Labour Court in view of this overall settlement with the Management.

(4) Both parties pray in Labour Court to close the cases pending before the Labour Court in view of this compromise settlement.

Dated this 26th day of May 1967 at Bangalore.

Witnesses:—

1. Sd... .....

2. Sd .....

3. Sd .....

Signature of parties.

The Bangalore Woollen Cotton and Silk Mills Co. Ltd.,

Sd...—P. Tomas.

Managing Director
Representing Employers
The Binny Mills Labour Association

4. Sd .....

Sd...—E. Kenchaiah.
President.
Sd...—D. Venkatesh.
Secretary,
Representing Employees.

Marked Ex.A.

Mr. D. Venktesh for I Party and Mr. Shadagopan for II Party admit this settlement in Court.

Sd ... P. T. Kadkol.
24th June 1967.
Sd ... D. Venkatesh. 24th June 67
Sd ... Sadagopan, 24th June 67

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 20th October 1967.

S. O. 2064.—WHEREAS by State Government Order No. PLM 110 LLD 65, dated 28th June 1966, the Industrial Dispute between the workmen and the Management of M/s. Bangalore Woollen, Cotton and Silk Mills Co., Ltd., Bangalore was referred to the Labour Court, Bangalore for adjudication.;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. PLM 110 LLD 65;

By Order and in the name of the Governor of Mysore,

1228 G. G. PUROHIT, *Under Secy.*

Revenue Secretariat.

NOTIFICATION.

Bangalore, dated 26th October 1967.

S. O. 2065.—In exercise of the powers conferred by sub-section (3) of Section 12 of the Mysore Land Revenue Act 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby appoints Smt. Sarita Ram Prakash, I. A. S. Probationer as special Tahsildar of Bangalore North taluk for a period of two months from 15th December 1967.

She shall exercise such powers and perform such duties as are exercised and performed by a Thasildar under the Mysore Land Revenue Act, 1964, during the said period.

This notification is issued in partial modification of the Government Notification No. RD 271 ASG 67 dated 21st September 1967.

[No. RD 306 ASG 67.]

By Order and in the name of the Governor of Mysore,

1361 K. C. Puttanarasiah, *Under Secy.*

NOTIFICATION.

Bangalore, dated 25th october 1967.

S. O. 2066.—In exercise of the powers conferred by sub-section (1) of Section 195 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby delegates the powers conferred on the Deputy Commissioners under sub-section (2) of Section 78 and section 189 of the said Act, to the Tahsildars incharge of Taluks who shall exercise the said powers within their jurisdiction.

[No. RD 153 ELR 66.]

By Order and in the name of the Governor of Mysore,

1336 V. Nanjiah, *Under Secy*

Health and Municipal Administration Secretariat

PROCLAMATION.

Bangalore, dated 28th October 1967.

S. O. 2067.—In exercise of the powers conferred by Section 9 of the Mysore Municipalities Act, 1964 (Mysore Act No. XXII of 1964), the Government of Mysore hereby announces that it is proposed to alter the existing limits of T. Narasipur Town Municipality, Mysore District mentioned in Schedule 'A' by adding the areas, the boundaries of which are indicated in Schedule 'B' and boundaries of the said Municipality after inclusion of the said areas will be as indicated in Schedule 'C'.

All persons who entertain any objections to the said proposal are hereby required to submit the same with the reasons therefor in writing to the Divisional Commissioner, Mysore Division, Mysore, within two months from the date of this proclamation.

SCHEDULE 'A'

(Existing local limits of the Municipality)

East.—Survey Nos. 35 and 74 of Algud Grama.

South.—Survey Nos. 10 and 83 of Algud Grama.

West.—Survey Nos. 522 and 523 of Algud Grama.

North.—Kasaba Survey Nos. 5 and 6 and Byrapura Survey No. 41 and South Bank of Kapila River.

SCHEDULE 'B'

(Local limits of the area proposed to be included in the Municipality)

East.—The eastern boundary line starts from the bank of the river Kapila at North-Eastern corner of Survey No. 34 of Algud Village, Kasaba Hobli, T. Narasipur Taluk and proceeds along the Eastern boundaries of Survey Nos. 34, 35, 72, 71, 87 and 98 of Algud Village till it meets the South-East Corner of Survey No. 98 including the Survey Nos. 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95 and 96 of the Algud Village.

South.—The line then takes turn towards the West and runs along the Southern boundary lines of Survey Nos. 98 and 99 of Algud Village till it meets the T. Narasipur–Chamarajanagar Road, the line then crosses the road and proceeds along the Southern boundary of Survey No. 3 of Algud Village till it meets the South-West corner of Survey No. 3, the line then takes a turn towards North and proceeds till it leads the point where the South-Eastern boundary line of Survey No. 605 cuts the Western boun ary of Survey No. 3, the line then takes a turn towards West and proceeds along the Southern boundary lines of Survey Nos. 605, 602, 527, 528, 529, 516, 517 and 518 of Algud Village and Survey Nos. 85, 86, 87, 88 and 90 of Byrapura Village till it meets the South-West c rner of Survey No. 90 of Byrapura village including the Survey Nos. 19, 20, 21, 22, 23, 24, 25, 26, 27, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 519, 520, 521, 522, 523, 524, 525, 603, 604 of Algud Village and Survey Nos. 82, 83, 84 and 89 of Byrapura Village.

West.—The line then takes a turn towards North and proceeds along the Western boundary of Survey No. 90 of Byrapura Village till it meets the Nanjangad–T. Narasipur Road, The line cuts the road and proceeds north towards along the Western boundary of Survey Nos. 75, 76, 58 till it meets the cart-track from Thayur, the line then skirts along the Western boundary line of Survey No. 33 of Byrapura village till it meets the South-West Corner of Survey No. 34 proceeding towards North follows the Western boundary lin s of Survey Nos. 34, 29, 27 and 25. The line then takes a turn towards West and keeps in proceeding along the Western and North-Western boundary lines of Survey No. 23 of Byrapura Village till it meets North-Western corner of Survey No. 238, of Byrapura Village till it meets North-Western corner of Survey Nos. 23 and 22 then the line takes a turn towards east and proceeds along the Northern Boundary line of Survey No. 23 of Byrapura village till it cuts the direction road the line then cuts the road and proceeds along the Western boundary lines of Survey Nos. 21, 10 of Byrapura village till it meets the Mysore—T. Narasipur Road. The line cuts the road and proceeds Northwards along the Western boundary line of Survey No. 9 of Byrapura village till meets the bank of River Kapila including the Survey Nos. 24, 28, Survey Nos. 24, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 77, 78, 79, 80 and 81 of Byrapura Village.

North.—Here the line takes a turn towards East and proceeds by the side of the bank along the Northern boundary line of Survey No. 9 of Byrapura village and Survey Nos. 21, 22, 25, 26, 28, 30, 31 and 32 of T. Narasipur village and Survey Nos. 28, 29, 30, 31, 32, 33 and 34 of Algud Village till it meets the starting point.

SCHEDULE 'C'

(After the above Alteration, the Boundaries of the Municipality will be as Follows)

East.—The Eastern boundary line starts from the bank of the river Kapila at North-Eastern corner of Survey No. 34 of Algud Village, Kasaba Hobli, T. Narasipur Taluk and proceeds along the Eastern boundaries of Survey Nos. 34, 35, 71, 72, 97 and 98 of Algud Village till it meets the South-East corner of Survey No. 98 including the Survey Nos. 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85 86, 87, 88, 89, 90, 91, 92, 93, 94, 95 and 96 of Algud Village.

South.—The line then takes turn towards the West and runs along the Southern beundary line of Survey Nos. 98 and 99 of Algud Village till it meets the T. Narasipur—Chamarajanagar Road the line then crosses the road and procceds along the Southern boundary of Survey No. 3 of Algud Village till meets south-west corner of Survey No. 3, the line then takes a turn towards North and proceeds till it meets the point where the South-Eastern boundary lines of Survey No. 605 cuts the Western boundary of Survey No. 3, the line takes a turn towards west and proceeds along the Southern boundary lines of Survey Nos. 605, 602, 527, 528, 529, 516, 517 and 518 of Algud village and Survey Nos. 85, 86, 87, 88 and 90 of Byrapura village including Survey Nos. till it meets the South-West corner of Survey Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24. 25, 26. 27 and 5, 19, 520, 521, 522, 523, 524, 525, 526, 603, 604, of Algud Village and Survey Nos. 82, 83, 84 and 89 of Byrapura Village.

West.—The line then takes a turn towards north and proceeds along the Western boundary of Survey No. 90 of Byrapura village till it meets the Nanjangud—T. Narasipur Road. The line cuts the road and proceeds northwards along the western boundary of Survey Nos. 75, 76, 58 till it meets the cart-track from Thayur, the line then skirts along the western boundary line of Survey Nos. 33 of Byrapura village till it meets the south-west corner of Survey No. 34 proceeding towards north follows the Western boundary line of Survey Nos. 34, 29, 27 and 25. The line then takes a turn towards west and keeps in proceeding along the western and north-western boundary lines of Survey No. 23 of Byrapura village till it meets north-western corner of Survey No. 23 of Byrapur, the line takes a turn towards east and proceeds along Northern boundary line of Survey Nos. 23 and 22 of Byrapur village till it cuts the direction road the line then cuts the road and proceeds along the western boundary lines of Survey Nos. 21, 10 of Byrapura village till it meets the Mysore—T. Narasipur Road. The line

cuts the road and proceeds northwards along the Western boundary line of Survey No. 9 of Byrapura Village till it meets the bank of River Kapila including the Survey Nos. 24, 28, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 77, 78, 79, 80 and 81 of Byrapura Village.

North.—Here the line takes a turn towards East and proceeds by the side of the bank along the Northern boundary line of Survey No. 9 of Byrapura village and Survey Nos. 21, 22, 25, 26, 28, 30, 31, and 32 of T. Narasipur Village and Survey Nos. 28, 29, 30, 31, 32, 33 and 34 of Algud Village till it meets the starting point.

[No. PLM 10 TBL 55.]

By Order and in the name of the Governor of Mysore,

1358 K. ABDUL RAHIM KHAN, *Under Secretary.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore dated 24th october 1967.

S. O.2068.—In Notification No. CI 163 GMI 67, dated 14th August 1967 (S. O. 1569), published in the *Mysore Gazette*, dated 24th Augst 1967 on pages 3828 to 3830 in Part IV, Section 2 C-(ii), after serial No. 1, the following figures and words shall be inserted in the accampanying schedule:—

Sl. No.	*Name of the village.*
2	Sattur

[No. CI 163 GMI 67.]

By Order and in the name of the Governor of Mysore,

1349

H. L. LINGARAJ URS,
Deputy Secretary.

Finance Secretariat.

NOTIFICATION.

Bangalore, dated the 24th october 1967.

S. O. 2069.—In exercise of the powers conferred by sub-section (5) of Section 8 of the Central Sales Tax Act, 1956 (Central Act No. 74 of 1956), the Government of Mysore, being satisfied that it is necessary so to do in the public interest hereby directs that no tax under the said Act shall be payable by any dealer having his place of business in the State of Mysore in respeot of goods in the course of Inter-State trade or commerce made by him from such place of business in the State of Mysore to the Food Corporation of India for use in the preparation of Bal-Ahar subject to the condition that the dealer furnishes to the Assessing Authority a certificate issued by the said Food Corporation of India to the effect that the goods so bought are intended to prepare Bal-Ahar which is to be supplied to the people in the State of Bihar.

[No. FD 263 CSL 67.]

By Order and in the name of the Governor of Mysore,

Syed Gulam Khaja,
Under Secretary.

1348

Commerce and Industries Secretariat

NOTIFICATION.

Bangalore, dated 26th October 1967.

S. O. 2070.—In the Government Notification No. CI 165 GMI 66, dated 3rd December 1966, issued by Government in Commerce and Industries Department, Bangalore under section 28(1) of the Mysore Industrial Areas Development Act, 1966, published on pages 2925 to 2937 of Part III-1 of the *Mysore Gazette* dated 8th December 1966, read with the Corrigendum Notification No. CI 165 GMI 66, dated 23rd December 1966, published on page 3205 of Part III-1 of the *Mysore Gazette*, dated 29th December 1966, regarding the establishment of Industrial Development Area by the Mysore Industrial Areas Development Board, Bangalore, the following corrections may be noted.

	For				*Read*		
	S. No. in the Nofn.	S.No.	Area A. G.	Asstt. Rs. Ps.		Area A. G.	Asstt. Rs. Ps.
1	2	3	4	5	6	7	8
Kakati	20	168/1	4—26	2—50	168/1	6—05	3—67
	21	168/2	2—18	1—25	168/2	3—07	1—91
	22	168/3	2—13	1—25			
	56	151/2	0—38	2—22	151/2	1—54	2—22
	57	151/3B	1—29	1—50	151/3A	0—25	0—78

- Kanabargi	6	52/6	0—30	2—00	52/6A+B	0—30	3—81
	22	52/21	0—19	3—06	52/21	0—02	0—32
	23	52/22	0—02	0—31	52/22	0—19	3—02
	56	50/15	0—10	1—06	50/15A+B	0—10	1—28
	68	53/2	2—29	0—94	53/2A+B+C	2—29	1—10
	73	646/2A	1—02	0—62	646/2A	1—01	0—73
	74	646/2B	0—38	0—62	646/2B	0—39	0—72
	95	635/8A	0—15	2—80	635/8B	0—15	2—27
	96	635/8B	0—12	1—66	635/8A	0—12	1—81

[No. CI 165 GMI 66.]

By Order and in the name of the Governor of Mysore,

H. L. LINGARAJ URS, *Deputy Secy.*

6009

NOTIFICATION.

Bangalore, dated 19th October 1967.

S.O. 2071.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Copper, lead, Antimony, Arsinic, Manganese and Felspar to Smt. Hemangini Sumati Morarjee in the following areas of the Chitradurga Taluk, Chitradurga District, on the terms and conditions mentioned below :—

Village	*S.Nos.*	*Area*
Chikkanahalli Turuvanur Chikkàppanahalli Maddlakkanahalli	As per sketch	15–54 Sq. Kms. (1554 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2–50 per hectare of the land covered by the licence for each year or portion of a year :

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting Licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically; and

12. The licensee shall not give any ore-raising contract during the prospecting stage;

13. The area mentioned above is subject to verification after actual survey.

[No. CI 141 EPO 67.]

By Order and in the name of the Governor of Mysore,

1351 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 24th October 1967.

S.O. 2072.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant to Messrs. Mysore Mineral Ltd., Bangalore, of a Mining Lease for ten years for Kaolin in respect of the area of 1,066 acres (431-60 hectares) of land in Appenahally and Bageshpur Villages, Arsikere Taluk, Hassan District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Kaolin only. If other minerals are found in association with Kaolin they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Kaolin he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 25 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annnm on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If Beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948, is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometres.

(*l*) Government shall have the right of purchasing the ore at current market rates.

(*m*) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

[No. CI 217 EMO 67.]

By Order and in the name of the Governor of Mysore,

1352 N. NARAYANASWAMY, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION I.

Bangalore, dated the 26th October 1937.

S.O. 2073.—WHEREAS it is necessary to maintain the quality and reputation of the cotton grown in the areas specified in Schedule below, hereinafter referred to as the protected area;

AND WHEREAS the draft of a notification proposed to be issued by the State Government under Section 3 of the Cotton Transport Act, 1923 (Central Act of 1923) was laid before both Houses of the State Legislature and has been approved by resolutions of both Houses of the State Legislature, as required by Section 8 of the said Act.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cotton Transport Act, 1923 (Central Act 3 of 1923), the Government of Mysore hereby prohibits the import of cotton into the protected area by rail, road, river or sea or by any one or more of such routes save under and in accordance with the conditions of a licence prescribed in this behalf.

Under sub-section (2) of the said section, the Government of Mysore hereby further prohibits the delivery to and the taking of delivery by, any person, at any of the Railway Stations specified in Schedule II below of any cotton when such cotton has been consigned from a railway station not situated in the protected area unless such person holds the prescribed licence for the import of cotton into the protected area.

SCHEDULE-I

(Protected Area)

DHARWAR AREA.

Consisting of that portion of Mysore State within the following boundaries:—

On the North.—The Northern Boundaries of Belgaum District and northern boundaries of Jamkhandi, Bilgi, Bagalkot and Hungund Taluks.

On the West.—The Western boundaries of Belgaum District and the Eastern boundaries of the Arabian Sea adjoining Karwar District.

On the East.—Eastern boundaries of Hungund taluk of Bijapur District, eastern boundaries of Kushtagi, Yelbarga Koppal taluks, western boundaries of Bellary District.

On the South.—Southern Boundaries of Dharwar District and Southern Boundaries of Karwar District and more particularly shall consist of Belgaum, Dharwar and Karwar Districts and Jamkhandi, Mudhol, Bilgi, Bagalkot, Badami and Hungund Taluks of Bijapur District and Kushtagi, Yelburga and Koppal Taluks of Raichur District.

SCHEDULE-II

(Railway Stations)

(Protected Area—Dharwar)

I. Poona—Bangalore Line (Southern Railway)

All Stations specified below from Shedbal to Chalgeri—

1 Shedbal
2 Ugarkhurd
3 Kudachi
4 Chincholi
5 Raibag
6 Chikodi Road
7 Bagewadi
8 Ghataprabha
9 Gokak Road
10 Pachhapur
11 Suldhal
12 Sulebhavi
13 Sambre
14 Belgaum
15 Desur
16 Dandhond
17 Khanapur
18 Gunji
19 Londa
20 Devarayi
21 Nagaragali
22 Tavarag tti
23 Bhiravanabatti
24 Alnavar
25 Kogilgeri
26 Kumbarganvi
27 Nagalvi
28 Mu ad
29 Kyarakop
30 Dharwar
31 Naval r
32 Amargol
33 Unakal
34 Hubli
35 Hallibal
36 Kundgol
37 Sourshi
38 Gudgeri
39 Yalvigi
40 Fava ur
41 Kala-ur
42 Karjagi
43 Haveri
44 Byadgi
45 Devaragudda
46 Ranibennur
47 Chalgeri

II. Alnavar—Dandeli Line (Southern Railway)—All Stations specified below from Shinhatageri to Dandeli—

1 Shingatageri
2 Shirgursiding
3 Dandeli

III. Sholapur—Hubli Line (Southern Railway)—All Stations specified below from Sitimani to Gadag—

1 Sitimani
2 Kadlimatti
3 Bagalkot
4 Guledgud
5 Badami
6 Lakmapur
7 Holealur
8 Somanakatti
9 Mallapur
10 Balgavur
11 Hombal
12 Gadag.

IV. Vijayawada—Hubli Line (Southern Railway)—All Stations specified below from Kanginabal to Munirabad—

1 Kanginabal
2 Harlapur
3 Halliguddi (H)
4 Bannikoppa
5 Bhanapur
6 Koppal
7 Ginigera
8 Munirabad.

[No. AF 94 ATN 64.

By Order and in the name of the Governor of Mysore,

1343 M. MADANAGOPALAN, *Under Secy.*

NOTIFICATION-II.

Bangalore, dated 26th October 1957.

S. O. 2074.—WHEREAS it is necessary to maintain the quality and reputation of the cotton grown in the areas specified in Schedule below, hereinafter referred to as the protected area;

AND WHEREAS the draft of a notification proposed to be issued by the State Government under section 3 of the Cotton Transport Act, 1923 (Central Act of 1923) was laid before both Houses of the State Legislature and has been approved by resolutions of both Houses of the State Legislature, as required by Section 8 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cotton Transport Act, 1923 (Central Act 3 of 1923), the Government of Mysore hereby prohibits the import of cotton into the protected area by rail, road, river or sea or by any one or more of such routes save under and in accordance with the conditions of a licence prescribed in this behalf;

Under sub-section (2) of the said section, the Government of Mysore hereby further prohibits the delivery to and the taking of delivery by, any person, at any of the Railway Stations specified in Schedule II below of any cotton when such cotton has been consigned from a railway station not situated in the protected area unless such person holds the prescribed licence for the import of cotton into the protected area.

SCHEDULE—I

(Protected Area)

BIJAPUR–RAICHUR AREA.

On the North:—Northern Boundaries of Bijapur and Gulbarga District.

On the East:—Eastern boundaries of Gulbarga and Raichur Districts.

On the West:—Western boundaries of Indi, Bijapur Taluks, River Krishna, The Western boundaries of Lingasugur Taluk and Eastern boundaries of Kustagi, Yelburga and Koppal Taluks.

On the South:—Southern boundaries of Raichur District excluding Kushtagi, Yelburga and Koppal taluks and Southern boundaries of Maddebihal, Bagewadi and Bijapur Taluks.

SCHEDULE—II

(Railway Station)

BIJAPUR–RAICHUR AREA.

I. Sholapur-Hubli Line (Southern Railway) All Stations specified below from Lachyan to Almatti.—

1. Lachyan	2. Indi Road Station	3. Nimbal
4. Minchinal	5. Bijapur	6. Jumnal
7. Honaganahalli (H)	8. Mulwad	9. Kudgi (H)
10. Telgi	11. Wandal (H)	12. Almatti.

II. Bombay–Madras Line (Central Railway) All Stations specified below from Kulali to Matamari.—

1. Kulali	2. Gangapur	3. Savalji	4. Gulbarga
5. Martur	6. Shahabad	7. Wadi	8. Nalvar
9. Thamkundi	10. Yadagiri	11. Narayanpeth Road	12. Chikkasugur
13. Yaramaras	14. Raichur	15. Maricheta1	16. Matamari

III. Wadi–Secunderabad Line (Central Railway) All Stations specified below from Wadi to Kurakunta.

1. Chittapur	2. Malher Road.	3. Seram.	4. Kurakunta.

[No. AF 94 ATN 64.]

By Order and in the name of the Governor of Mysore,

1344 M. MADANAGOPALAN, *Under Secy.*

NOTIFICATION-III.

Bangalore dated 26th October 1967.

S. O. 2075.—WHEREAS it is necessary to maintain the quality and reputation of the cotton grown in the ar as specified in Schedule below, hereinafter referred to as the protected area;

AND WHEREAS the draft of a notification proposed to be issued by the State Government under Section 3 of the Cotton Transport Act, 1923 (Central Act of 1923 was laid before both Houses of the State Legis ature and has been approved by resolutions of both Hous s of the State Legislature, as required by Seotion 8 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cot on Transport Act, 1923 (Central Act 3 of 1923), the Government of Mysore hereby prohibits the import of cott n into the protected area by rail, road, river or sea or by any one or m re of such routes save under and in accordance with the conditions of a licence prescribed in this behalf;

Under sub-section (2) of the said Section, the Government of Mysore hereby further prohibits the delivery t and the taking of delivery by, any person, at any of the Railway Stations specified in Schedule II below of any cotton when such c tton has been consigned from a railway s ation not situated in the protected area unless such person h lds the prescribed licence for the import of cotton into the protected area.

SCHEDULE I

(Protected Area)

CHITRADURGA—BELLARY AREA

Consisting of whole of Chitradurga and Bellary Districts and Pavagad and Sira Taluks of Tumkur District.

SCHEDULE-II

(Railway Station)

I. Hubli-Guntakal Line (Southern Railway) All Stations specified below from Hospet to Veerapur—

1 Hospet
2 Papynayakanahalli
3 Gadiganur
4 Toranagallu
5 Daroji
6 Kudathini
7 Kolagallu
8 Bellary Cant
9 Bellary
10 Hagari
11 Virapur

II. Hospet-Kottur Line (Southern Railway) All Stations specified below from Tungabhadra Dam to Kottur—

1 Tungabhadra Dam
2 Vyasanakeri
3 Gunta road
4 Mariyammanahalli
5 Hampapattanam
6 Hagaribommanahalli
7 Malavi
8 Kottur.

III. Hospet-Samshalli Line (Southern Railway) All Stations specified below from Ranagad to Samshalli.

1 Ranagad
2 Yashawanthanagar
3 Samshalli

IV. Poona-Panjalore Line (Southern Railway) All Stations specified below from Haribar to Hosdurga Road—

1 Haribar
2 Davanagere
3 Tolahunse
4 Hanumanahalli
5 Kodaganur
6 Mayakonda
7 Sasalu
8 Bharamanaikandurga
9 Chikjajur
10 Holalakere
11 Nulenuru
12 Ramagiri
13 Hosadurga Road

[No. AF 94 ATN 64]

By Order and in the name of the Governor of Mysore,

1345 M. MADANAGOPALAN, *Under Secy.*

NOTIFICATION—IV

Bangalore, dated the 26th October 1967.

S. O. 2076.—WHEREAS it is necessary to maintain the quality and reputation of the cotton grown in the areas specified in Schedule below, hereinafter referred to as the protected area;

AND WHEREAS the draft of a notification proposed to be issued by the State Government under Section 3 of the Cotton Transport Act, 1923 (Central Act of 1923) was laid before both Houses of the State Legislature and has been approved by resolutions of both Houses of the State Legislature, as required by section 8 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cotton Transport Act, 1923 (Central Act 3 of 1923), the Government of Mysore hereby prohibits the import of cotton into the protected area by rail, road river or sea or by any one or more of such routes save under and in accordance with the conditions of a licence prescribed in this behalf;

Under sub-section (2) of the said section, the Government of Mysore hereby further prohibits the delivery to and the taking of delivery by, any person, at any of the Railway stations specified in Schedule II below of any cotton when such cotton has been consigned from a railway station not situated in the protected area unless such person holds the prescribed licence for the import of cotton into the protected area.

SCHEDULE—I

(Protected Area)

Gaorani Area

Consisting of whole of Bidar District.

(SCHEDULE—II

(Railway Stations)

Hyderabad Parbhani Line (Central Railway)

All stations specified below from Kamalanagar to Mettulkunta—

1	Kamalanagar	2	Kalgupur
3	Bhalki	4	Siddheswar
5	Halbarga	6	Khanapur
7	Bidar	8	Mettulkunta

[No. AF 94 ATN 64.]

By Order and in the name of the Governor of Mysore,

1346 M. MADANAGOPALAN, *Under Secretary.*

NOTIFICATION-V

Bangalore dated 26th October 1967.

S. O. 2077.—WHEREAS it is necessary to maintain the quality and reputation of the cotton grown in the areas specified in Schedule below, hereinafter referred to as the protected area;

AND WHEREAS the draft of a notification proposed to be issued by the State Government under Section 3 of the Cotton Transport Act, 1923 (Central Act of 1923) was laid before both Houses of the State Legislature and has been approved by resolutions of both Houses of the State Legislature, as required by Section 8 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Cotton Transport Act, 1923 (Central Act 3 of 1923), the Government of Mysore hereby prohibits the import of cotton into the protected area by rail, road, river or sea or by any one or more of such routes save under and in accordance with the conditions of a licence prescribed in this behalf.

Under sub-section (2) of the said section, the Government of Mysore hereby further prohibits the delivery to and the taking of delivery by, any person, at any of the Railway Stations specified in Schedule II below of any cotton when such cotton has been consigned from a railway station not situated in the protected area unless such person holds the prescribed licence for the import of cotton into the protected area.

SCHEDULE-I

(Protected Area)

Mysore-American Area.

Consisting of Mysore, Hassan, Mandya, Chickmagalur and Shimoga Districts and Tiptur Taluk of Tumkur District.

SCHEDULE–II

(Railway Stations)

Mysore-American Area.

I. All Stations specified below on Southern Railway from Chamarajanagar to Talgappa :—

1 Chamarajanagar
2 Mariyala
3 Badanaguppe
4 Konanur
5 Kavalande
6 Narambudhi
7 Nanjanagud Town
8 Tandavapura
9 Kadakola
10 Ashoknpuram
11 Chamarajapuram
12 Mysore
13 Belagula
14 Krishnarajanagar
15 Kallur-Yedahalli
16 Sagarkatte
17 Koranahalli
18 Krishnarajanagar
19 Hampapur
20 Arjunahalli
21 Hosa-Agrahara
22 Akkihebbalu
23 Birhalli
24 Mandagere
25 Sravanur
26 Anne Chakanahalli
27 Hole Narasipur
28 Hole Narasipur Town
29 Mavinahere
30 Mallenahalli
31 Ambuga
32 Kowrika
33 Hassan
34 Karawangala
35 Dudda
36 Bageshpura
37 Habanaghatta
38 Arsikere
39 Banawar
40 Devanur
41 Kadur
42 Hirur
43 Sivapur
44 Karanatalli
45 Tarikere
46 Masaraballi
47 Bhadravathi
48 Bidare
49 Shimoga
50 Shimoga Town
51 Kotegangur
52 Karagavalli
53 Harihalli
54 Kumsi
55 Araralu
56 Kenchanalu
57 Anandapuram
58 Adageri
59 Balegundi
60 Sagara
61 Kaole
63 Talaguppa

II. Birur–Shivani Line (Southern Railway) All Stations specified below from Birur to Shivani—

1 Ajjampur
2 Shivani

III. Mysore–Bangalore Line (Southern Railway) All Stations specified below from Mysore to Maddur—

1 Naganahalli
2 Palahalli
3 Pashimavahini
4 Srirangapattana
5 Pandavapura
6 Chandagirikoppal
7 Ryadarahalli
8 Yaliyuru
9 Mandya
10 Hanakere
11 Maddur

IV. Arsikere–Bangalore Line (Southern Railway) All Stations specified below from Arsikere to Bangalore—

1 Adiballi
2 Honnavalli
3 Tiptur
4 Kardi
5 Aralaguppa
6 Banasandra

[No. AF 94 ATN 64.]

By Order and in the name of the Governor of Mysore,

4347 M. MADANAGOPALAN,
Under Secretary.

NOTIFICATION

Bangalore, dated 21st October 1957.

S. O. 2078.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1382 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Belthangady Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as a reserved forest ;

(ii) appoints the Forest Settlement Officer, South Kanara, Mangalore to be the Forest Settlement Officer, for purposes of clause (*c*) of the said section; and

(iii) appoints the Divisional Forest Officer, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara
Name of the Taluk	...	Belthangady
Name of the Villages	...	Barya, Thekkar and Puthila
Survey field Numbers	...	78/1 and 83/1 of Barya, 67/1 of Thekkar and 37 of Puthila.
Name of the Block	...	Barya Block Bit I, II and III
Extent	...	153.70 Acres.

Boundary Description.

'Bit I'

North.— Starting from the station No. 51, a point situated at the newly constructed cairn No. 51, the demarcation line of the bit I of the block runs first in almost Eastern direction a distance of 1585 links to reach

the Station No. 55, passing through the intermediate stations 52 to 54. Thence it runs in almost South-East direction a distance of 800 links to reach the station No. 58, passing through the intermediate stations 56 and 57. Thence it runs in almost Eastern direction a distance of 1178 links to reach the station No. 60, passing through the intermediate station 59. Thence it runs in Southern direction to station No. 61, a distance of 272 links. From there it runs in South-East direction to station No. 62 a distance of 342 links. Thence it runs in almost eastern direction to station No. 63, a distance of 856 links. From there it runs in almost North-East direction a distance of 1198 links passing through the intermediate stations 64 and 65 to reach the station No 66. From there it runs in almost South-East direction a distance of 1487 links to reach the station No. 69, passing through the intermediate stations 67 and 68. From there it runs in Eastern direction a distance of 1146 links, to reach the station No. 71, passing through the intermediate station 70.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links.
1	2	3	4
51	52	97	661
52	53	92½	400
53	54	110½	210
54	55	88	264
55	56	115	148
56	57	136	322
57	58	124	830
58	59	84	890
59	60	84	288
60	61	172½	272
61	62	141½	342
62	63	86	850
63	64	69	812
64	65	57½	192
65	66	49½	194
66	67	116½	291
67	68	131½	800
68	69	117	396
69	70	86½	950
70	71	101	196

East.—Thence the demarcation line runs in almost South-East direction a distance of 1751 links to reach toe station No. 1, passing through the intermediate station 72 and 73. From there it runs in Southern direction to station No. 2, a distance of 560 links.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degrees in F. B.	Distance in link
71	72	160½	686
72	73	121	560
73	1	128	505
1	2	184½	560

South.—Thence the demarcation line runs in South-West direction to station No. 3, a distance of 376 links. Therefrom it runs in almost North-East direction a distance of 1557 links to reach the station No. 6 passing through the intermediate stations 4 and 5. From there it runs in South-West direction to station No. 7, a distance of 625 links. Thence it runs in almost Western direction a distance of 1528 links to reach the station No 9, passing through the intermediate station 8. Thence it runs in Northern direction to station No. 10, a distance of 440 links. from there it runs in almost North-West direction a distance of 960 links to reach the station No. 13, passing through the intermediate station 11. Therefrom it runs in almost South-West direction a distance of 1373 links to reach the station No.17, passing through the intermediate stations 14 to 16. From there it runs in Southern direction a distance of 718 links to reach the station No. 19 passing through the intermediate station No. 18. Thence it runs in almost South West direction a distance of 1136 links to reach the station No. 22, passing through the intermediate stations 20 and 21. Thence it runs in North West direction to station No. 23, a distance of 305 links. Thence it runs in western direction to station No. 24 a distance of 545 links. From there it runs in almost North-East direction a distance of 940 links to reach the station No. 26, passing through the intermediate station No. 25, Thence it runs in North-West direction to station No. 27, a distance of 740 links. Thence it runs in South-West direction to station No 28, a distance of 520 links Thence it runs in North-West direction a distance of 568 links to reach the station No. 30 passing through the intermediate station No. 29. Thence it runs in North-East direction to station No. 31, a distance of 617 links From there it runs in almost North-West direction a distance of 836 links to reach the

station No. 33 passing through the intermediate station 33. From there it runs in almost South-West direction a distance of 1464 links to reach the station No. 36, passing through the intermediate stations 34 and 35. Thence it runs in West direction to station No. 37, a distance of 234 links. From there it runs in almost South-West direction a distance of 635 links to reach the station No. 39, passing through the Intermediate station 38.

Bearings and distances from station to station are as follows.—

Station From	Numbers To	Bearings in degrees in F. B.	Distance in links
1	2	3	4
2	3	218½	376
3	4	325	222
4	5	324	910
5	6	256	395
6	7	235	635
7	8	279½	903
8	9	258	628
9	10	359	440
10	11	347	330
11	12	330	630
12	13	217½	440
13	14	227½	363
14	15	227½	371
15	16	210½	340
16	17	210½	410
17	18	175½	677
18	19	175½	141
19	20	196	200
20	21	196	136
21	22	194½	410
22	23	328½	105
23	24	273½	515
24	25	37	670
25	26	30½	250
26	27	317½	740
27	28	265	620
28	29	335½	229
29	30	343½	339
30	31	13	617
31	32	303	348

1	2	3	4
32	33	288	493
33	34	253½	410
34	35	204⅛	474
35	36	196⅝	580
36	37	272⅛	214
37	38	217	325
38	39	243	300

West.—Thence it runs in almost Northern direction a distance of 667 links to reach the station No. 43, passing through the intermediate stations 40 to 42. From there it runs in almost North-East direction a distance of 964 links to reach the station No. 46, passing through the intermediate stations 44 and 45. From there it runs in almost North-West direction a distance of 1189 links to reach the station No. 50, passing through the intermediate stations 47 to 49. Therefrom it runs in North-East direction a distance of 212 links to reach the station No. 51, which is the starting point of the bit I of the block.

Bearings and distances from station to station are as follows.—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links
39	40	357	142
40	41	348	198
41	42	353½	167
42	43	14	170
43	44	68	353
44	45	18	334
45	46	10⅛	278
46	47	3 1	210
47	48	341	216
48	49	329	243
49	50	307½	520
50	51	51½	212

—Starting point of the bit I

'Bit II'

North.—Starting from the station 14, a point situated at the newly constructed cairn No. 15. the demarcation line of the bit II runs in almost North-East direction a distance of 760 links passing through the intermediate stations 15 and 16 to reach the station No. 17, which is the point situated South-East of station No. 1 (Cairo No. 1) of the bit I. From there it continues in North-East direction to station No. 18, a distance of 250 links. Therefrom it runs in Eastern direction a distance of 825 links to reach the station No. 21, passing through the intermediate stations 19 and 20.

Bearings and distances from station to station are as follows.—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links
14	15	58	230
15	16	44½	273
16	17	53½	257
17	18	67	250
18	19	99	312
19	20	100½	180
20	21	106	323

East.—Thence it runs in almost Southern direction a distance of 629 links to reach the station No. 23 passing through the intermediate station 22. Therefrom it runs in almost South-East direction a distance of 1953 links to reach the station No. 26, passing through the intermediate stations 24 and 25.

Bearings and distances from station to station are as follows.—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links
21	22	169	165
22	23	185½	464
23	24	158	717
24	25	184	597
25	26	149½	638

South.—Thence it runs in South-West direction to station No. 0, a distance of 253 links. From there it runs in Western direction to station No. 1, a distance of 290 links. From there it runs in Northern direction to station No. 2, a distance of 241 links. Therefrom it runs in almost North West direction a distance of 1854 links to reach the station No. 9, passing through the intermediate stations 4 to 8. Thence it runs in almost Western direction a distance of 665 links to reach the station No. 11, passing through the intermediate station 10.

Bearings and distances from station to station are as follows:—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links
26	0	222	253
0	1	26°	290
1	2	357½	241
2	3	324	250
3	4	281¼	310
4	5	285½	260
5	6	252	310
6	7	316	273
7	8	308½	242
8	9	296	129
9	10	261	290
10	11	280½	375

West.—Thence the demarcation line runs in North-West direction to station No. 12, a distance of 445 links. From there it runs in almost North-East direction a distance of 670 links, passing through the intermediate station 13 to reach the station No. 14, which is the starting point of bit II.

Station Number From	To	Bearings in degrees in F. B.	Distances in links
11	12	347½	445
12	13	24½	230
13	14	20½	340

—Starting point of bit II.

'Bit III.'

North.—Starting from the station No. 9, a point situated at the newly constructed cairn No. 9, the demarcation line of the Bit III runs in almost Western direction in the following bearings and distance of 10.7 links to reach the station No. 11, passing through the intermediate station 10

Staion Numbers From	To	Bearings in degrees in F. B.	Distances in links
9	10	85	597
10	11	85	450

East.—Thence the demarcation line runs in South-West direction to station No. 12, a distance of 600 links. From there it runs in Southern direction a distance of 7.7 links to reach the station No. 13.

Bearings and distances from station to station are as follows:—

Station Number From	To	Bearings in degrees in F. B.	Distance in links
11	12	203	600
12	13	183	717

South.—Thence it runs in Western direction to station No 14, a distance of 371 links. Therefrom it runs in almost South-West direction a distance of 1431 links to reach the station No. 1, passing through the intermediate stations 5 to 17. Therefrom it runs in North-West direction a distance of 583 links to reach the station No. 3 passing through the intermediate station 2.

Bearings and distances from station to station are as follows.—

Station Number From	To	Bearings in degrees in F. B.	Distance in links
13	14	276	371
14	15	249½	530
15	16	261½	206
16	17	248½	389
17	1	215	306
1	2	324½	216
2	3	113½	367

West.—Thence the demarcation line runs in almost North-East direction a distance of 1765 links to reach the station No. 6 passing through the intermediate stations 4 and 5. From there it runs in North-West direction to station No. 7 a distance of 270 links. Therefrom the line finally runs in almost North-East direction a distance of 728 links passing through the intermediate station 8 to reach the station No. 9 which is the starting point of the bit III.

Bearings and distances from station to station are as follows.—

Station Number From	To	Bearings in degrees in F. B.	Distances in links
3	4	73	328
4	5	70	373
5	6	22	543
6	7	311½	270
7	8	34½	251
8	9	46	477
			—Starting point of bit III

Right of ways.—

(i) A Panchayat road enters the bit I of the Block between cairn Nos. 51 and 52 and comes out between cairn Nos. 34 and 35 which re-enters the same bit between cairn Nos. 30 and 31 and gets bifurcated in the middle. One branch of which comes out between cairn Nos. 67 and 68 and another comes out between cairn Nos. 17 and 18.

(ii) A cart track enters the bit III of the block between cairn Nos. 9 and 10 and comes out between cairn Nos. 16 and 17 which now enters the bit I of the block between cairn Nos. 63 and 64 and joins the aforesaid panchayat road and the panchayat road as described above and comes out between cairn Nos. 67 and 68 and cairn Nos. 17 and 18.

Other Privileges.—

(i) Free grazing of cattle by the villagers.

(ii) Free collection of green manure leaves for *bona fide* use by ryots.

(iii) Free removal of Muligras for *bona fide* use by villagers.

[No. AFD 102 FAF 67.]

By Order and in the name of the Governor of Mysore,

1315 M. A. MEGGAI, *Under Secy.*

NOTIFICATION

Bangalore, dated 25th October 1967.

S. O. 2079.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Udipi Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest ;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said Section ; and

(iii) appoints the District Forest Officer, Coondapur Division, Coondapur, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of District	...	South Kanara
Name of Taluk	...	Udipi
Name of Village	...	Nanchar
Survey field No.	...	8 No. 15
Name of Block	...	Nanchar Block
Extent	...	76·50 acres

Boundary Description

North :—Starting from station No. 0, the demarcation line runs on North-Easterly direction from station No. 0 to 2 passing through the intermediate station No. 1 over a distance of 496 links and turns towards South-East and

runs from station No. 2 to 12 passing through the intermed ate station No 3 to 11 over a distance of 1940 links and turns towards East and proceeds from station No. 12 to 17 passing through the intermediate stations Nos. 13 to 16 over a distance of 1100 links. Then it turns slightly to North-East and runs from stations Nos 17 to 20 through the intermediate station No. 18 and 19 over a distance of 905 links and touching to Sheethanady river on the left bank. Then it runs to right and runs towards East along the river bank and meets station No. 21 at a distance of 360 links. The bearing and distance from station to station are furnished below:—

Station Numbers From	To	Bearings in E. B.	Distances in links
0	1	79	175
1	2	33	320
2	3	161	260
3	4	183	200
4	5	152	200
5	6	174	250
6	7	152	230
7	8	136½	150
8	9	147	180
9	10	157	150
10	11	168	120
11	12	157	200
12	13	105	2 0
13	14	76	13)
14	15	61	1 0
15	16	82	270
16	17	79	270
17	18	45	545
18	19	21	180
19	20	10	200
20	21	107	360

East:—Further the demarcation line turns to South and runs from station No. 21 to 26 through the intermediate station No. 22 to 25 over a distance of 1340 links and then turns to South-East and meets station No. 29 running

through the intermediate station No. 27 and 28 distance of 600 links and again it turns to left and runs towards East from station No. 29 to 33 through the intermediate stations 30 to 32 over a distance of 825 links and then turns to North-East and meets station No. 34 at a distance of 270 links and finally turns to South-East and meets station Nos. 37 passing through the intermediate station Nos. 35 and 36 at a distance of 830 links. The bearing and distance from station to station are furnished below :—

Station Numbers From	To	Bearings in F. B.	Distances in links
21	22	200	150
22	23	177	240
23	24	152	190
24	25	195	290
25	26	206	480
26	27	130	180
27	28	142½	180
28	29	130	240
29	30	90	150
30	31	67	220
31	32	63	180
32	33	77	275
33	34	28	270
34	35	106	200
35	36	107	330
36	37	107	300

South :—Again the demarcation line runs towards South-East from station No. 37 to 43 through the intermediate stations No. 38 to 42 over a distance of 1660 links and turns to West and proceeds from station No. 43 and meets station No. 44 at a distance of 530 links. Then it takes a slight turn and runs on slightly North-West from station No. 44 to 46 passing through the intermediate station 45 over a distance of 510 links and turns again and runs on due North-West and proceeds from station No. 46 to 50 through the intermediate stations 47 to 49 covering distance of 1176 links. From there it turns once again and runs slightly South-West from station No. 50 to 53 passing

through the intermediate stations 51 and 52 over a distance of 710 links and turns and proceeds towards South and meets station No. 55 passing through the intermediate station No. 54 covering a distance of 470 links. Then it turns left and proceeds towards South-East from station No. 55 to 53 passing through the intermediate station No. 56 and 57 over a distance of 1230 links and then proceeds on South-West and meets station No. 59 at a distance of 180 links and further proceeds towards West and meets station No. 60 at a distance of 415 links and again turns to right and proceeds towards slightly North-West meets station No. 63 passing through the intermediate station Nos. 61 and 62 over a distance of 1015 links. The bearing and distance from station to station are furnished below :—

Station Number From	To	Bearings in F.B.	Distance in links
37	38	214	300
38	39	214	200
39	40	221	3.0
40	41	225	200
41	42	213	270
42	43	229	320
43	44	264	330
44	45	300	340
45	46	289	200
46	47	342	260
47	48	340	270
48	49	320	425
49	50	302	220
50	51	237	200
51	52	256	250
52	53	249	260
53	54	184	150
54	55	198	320
55	56	140	780
56	57	141	250
57	58	159	200
58	59	216	180
59	60	263	416
60	61	308	570
61	62	288	200
62	63	281	275

West :—Finally the demarcation line runs on slight North-Western direction from station No. 63 to 67 passing through station Nos. 64 to 66 over a distance of 1140 links and moves to right and proceeds on Northern direction from station No. 67 to 77 and on to 0 through the intermediate station Nos. 68 to 76 over a distance of 2940 links and closes the traverse. The bearing and distances from station to station are furnished below :—

Station Numbers From	To	Bearings in F. B.	Distance in links
63	64	349	290
64	65	340	300
65	66	319	300
66	67	334	250
67	68	½	560
68	69	358	310
69	70	323	350
70	71	339	220
71	72	4	360
72	73	336	230
73	74	356	170
74	75	330	210
75	76	339	200
76	77	9	190
77	0	16	150

Right of ways .—Avarshe–Miyar Foot path : The foot path enters the block between cairn No. 68–69 and runs through the block and goes out between cairn No. 56–57 and again inside between cairn No. 44–45 and finally quits the block between cairn No. 43–44.

2. *Avarshe–Pilchaundhi Kodlu foot path* :—Footpath enters the block between cairn No. 18-19 and proceeds through the block and bifurcates into two in the middle one quits the block between cairn No. 25–26 and goes to Pilchaundi Kodly and another runs towards South through the block and goes out between cairn No. 50–51 and joins Avarshe—Miyar foot path.

Other Previleges:—(1) Free grazing of cattle inside the block by the Villagers, (2) Free removal of green manure leaves from the block by the villagers for the *bona fide* use, (3) Free removal of dry fuel for the *bona fide* use by the villagers. (4) Free removal of muli grass for the *bona fide* use by the villagers.

[No. AFD 191 FAF 66].

By Order and in the name of the Governor of Mysore,

1337 M. A. MECCAI, *Under Secy.*

NOTIFICATION.

Bangalore, dated 25th October 1967.

S. O. 2080 —In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Udipi Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as reserved forest ;

(ii) appoints the Forest Settlement Officer, Mangalore, to be the Forest Settlement Officer for purposes of clause (c) of the said section ; and

(iii) appoints the District Forest Officer, Coondapur Division, Coondapur, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara
Name of the Taluk	...	Udipi Taluk
Name of the Village	...	Avarabe and Hiliyana
Name of the Block	...	Avarabe block
Survey Field No.	...	98 of Avarabe 77/1 of Hiliyana
Area of the block	...	196.60 acres.

BOUNDARY DESCRIPTION

North :—Starting from station No. 2 the demarcation line runs to East to station No. 3 at a distance of 240 links. From station No. 3 again the line runs to North-East to station No. 5, after passing the middle station No. 4 at a total distance of 560 links. From station No. 5 again the line runs to South-East to station No. 7 after passing the middle station No. 6 at a total distance of 525 links. From 7 to station again to East of the block to station No. 9 after passing through the middle station No. 8 at a total distance of 610 links. From

station No. 9 the line runs to North-East to station No. 10 at a distance of 640 links. From station No. 10 the line runs to North to station No. 12, after passing the middle station No. 11 at a total distance of 500 links. From station No. 12 the line runs to North-East to station No. 16 after passing the middle station No. 13 to 15 at a total distance of 1010 links. From station No. 16 again to South to station No. 17 at a distance of 260 links. From station No. 17 again to East of the block to station No. 18 at a distance of 210 links. From station No. 18 the line further runs to North-East of the block to station No. 23 after passing through the intermediate station No. 19 to 22 at a total distance of 1470 links. From station No. 23 again to South-East to station No. 26 after passing the middle station No. 24 and 25 at a total distance of 740 links. Then again to East to station No. 27 at a distance of 270 links. From station No. 27 again to North to station No. 28 at a distance of 360 links. The distance and bearing from station to station are as follows :—

Station Numbers From	To	Bearings in F.B.	Distances in links
2	3	110	240
3	4	64	340
4	5	72	220
5	6	120	225
6	7	126	300
7	8	98	270
8	9	78	340
9	10	64	640
10	11	3	280
11	12	24	220
12	13	47	230
13	14	63	240
14	15	71	220
15	16	70	380
16	17	170	260
17	18	88	240
18	19	54	280
19	20	60	320
20	21	56	370
21	22	64	220
22	23	66	280
23	24	114	240
24	25	119	200
25	26	186	300
26	27	82	270
27	28	97	360

East:—From station No. 28 the line runs to South to station No. 29 at a distance of 1520 links. Then again from 29th station to East to station No. 31 after passing the middle station No. 30 at a total distance of 850 links. From station No. 31 again to South to station No. 33, after passing the middle station No. 32 at a total distance 730 links. From station No. 33 again to South-West to station No. 35 after passing the middle station No. 34 at a total distance of 630 links. The distance and bearing from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distance in links
28	29	165	1520
29	30	96	460
30	31	113	390
31	32	203	370
32	33	183	360
33	34	221	300
34	35	238	230

South:—From station No. 35 the line runs to West of the block to station No. 41 after passing through the middle station No. 36 to 40 at a total distance of 1700 links. From station No. 41 again to North-West to station No. 42 the line runs to West to station No. 46 after passing the middle station No. 43 to 45 at a total distance of 1285 links. From station No. 46 the line runs to South-West to 47th station at a distance of 290 links. From 47th station again to South of the block to station No. 49 after passing the middle station No. 48 at a distance of 980 links. From 49th station again to South-West to station No. 50 at a distance of 620 links. From 50th station again to North-West to station No. 51 at a distance of 330 links. From there the line runs to West to station No. 54 after passing the middle station No. 52 and 53 at a total distance of 990 links. From there to south-west to station No. 57 after passing the middle station No. 55 and 56 at a total distance of 990 links. From station No. 57 again to South to station No. 58 at a distance of 680 links. From 58th station the line runs to South-West to 59th station at a distance of 220 links. From 59th station the line runs to West to 61 station after passing the middle station No. 60 at a total distance of 720 links. From there to North-West to station No. 62

at a distance of 350 links. The distance and bearing from station to station are as follows :

Station From	Numbers To	Bearings in F. B.	Distances in links
35	36	270	250
36	37	290	290
37	38	298	300
38	39	278	270
39	40	280	340
40	41	277	250
41	42	311	420
42	43	269	420
43	44	279	430
44	45	271	210
45	46	261	225
46	47	235	290
47	48	183	320
48	49	182	650
49	50	247	520
50	51	318	330
51	52	285	290
52	53	291	360
53	54	276	340
54	55	255	390
55	56	242	250
56	57	233	350
57	58	188	680
58	59	223	220
59	60	258	340
60	61	285	380
61	62	309	350

West :—From station No. 62 the demarcation line runs to North to station No. 0, after passing the middle station No. 63 to 65 at a total distance of 1740 links. From station No. 0 the demarcation line runs to North-East to station No. 2 after passing the middle station No. 1 at a total distance of 660 links. The distance and bearing from station to station are as follows :—

Station Numbers		Bearings in	Distances
From	To	F. B.	in links
62	63	14	280
63	64	11	320
64	66	11	620
65	0	3	520
0	1	37	310
1	2	56	350

Right of ways :—A cart track from Hybady enters the block in between cairn No. 66 and 1 and finally exit in between cairn No. 11 and 12 leading to Kechur bail.

Other Rights :—

1. Free grazing of cattle by villagers is allowed inside the block.
2. Free removal of green manure leaves by the villagers for the *bona fide* use of ryots.
3. Free removal of dry fuel by the villagers for the *bona fide* use.
4. Free removal of muligrass from the block for the *bona fide* use of villagers.

[No. AFD 193 FAF 66.]

By Order and in the name of the Governor of Mysore,

1338 M. A. MEGCAI, *Under Secy.*

NOTIFICATION.

Bangalore, dated 25th October 1957.

S. O. 2081.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Coondapnr Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved Forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) the said Section; and

(iii) appoints the Divisional Forest Officer, Coondapur Division, Coondapur, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE.

Name of the District	...	South Kanara.
Name of the Taluk	...	Coondapur.
Name of the Village	...	Kodladi.
Survey field No.	...	113.
Name of the Block	...	Kodladi Block.
Area of the Block	...	284. 30 acres.

BOUNDARY DESCRIPTION

North.—Starting from station No. 30 (Cairn No. 31) the line runs to East to station No. 31 at a distance of 270 links. Then from station No. 31 the line runs to South-East to station No. 33, after passing the middle station

No. 32 at a total distance of 910 links. From station No. 33 the line runs to South to station No. 36, after passing the middle station No. 34 and 35 at a total distance of 975 links. Then from station No. 36 the line runs to South-East to station No. 37 at a distance of 250 links. From station No. 37 to East to station No. 40, after passing the middle stations 38 and 39 at a distance of 1040 links. From station No. 40 the line runs towards South-East to station No. 43 after passing the middle station No. 41 and 42 at a total distance of 870 links. From station No. 43 again the line runs to South to station No. 44 at a distance of 385 links. From station No. 44 the line runs to South-East to station No. 48, after passing through the intermediate stations 45 to 47 at a total distance of 1275 links. From station No. 48 the line runs 300 links to East to station No. 49 and then 175 links to South-East to Station No. 50, situated on the Northern most corner of the block, the distance and bearing from station to station are as follows :—

Station Numbers		Bearings	Distances
From	To	in F. B.	in links
30	31	66.5	270
31	32	138.5	580
32	33	140 5	330
33	34	166.5	315
34	35	182	265
35	36	170 5	405
36	37	117	250
37	38	76.5	460
38	39	88.6	300
39	40	98	260
40	41	132	305
41	42	137	285
42	43	131.5	280
43	44	171	385
44	45	124	430
45	46	127.5	370
46	47	135.5	235
47	48	123.5	240
48	49	86	300
49	50	122	175

East.—From station No. 50 the demarcation line runs to south to station No. 5) after passing the intermediate stations 51 to 58 at a total distance of 2145 links. From station No. 59 the line runs on the river bank of Gangady hole to East to station No. 60 at a distance of 760 links. The river flows from East to W st of the block. From station No. 60 the line runs to North to station No. 61 at a distance of 285 links. From station No. 61 again to West to station No. 63, after passing the middle station No. 62 at a total distance of 415 links. From station No. 63 the line runs to South-West to station No. 64 at a distance of 275 links. From station No. 64 again the line runs to South to 65th station at a distance of 450 links. From 65th station again the line runs South-East towards Gangady river bank) to station No 66 at a distance of 290 links. From station No. 66 the line runs on to South on Gangady river bank to station No. 70, after passing the middle station 67 to 69 at a total distance of 2000 links. From station No. 70 the line runs to West to Gangady river bank to station No. 71 at a distance of 440 links.

The distance and bearing from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links.
1	2	3	4
50	51	206	230
51	52	217	215
52	53	213 6	315
53	54	180	330
54	55	201.5	200
55	56	213	220
56	57	193	165
57	58	178	230
58	59	150	250
59	60	262	760
60	61	349.5	285
61	62	292	225
62	63	287	220
63	64	234	275

64	65	185	450
65	66	145	290
66	67	195	400
67	68	210	290
68	60	189	900
69	70	201	500
70	71	250	440

South.—From station No. 71 the line runs to North-West on Gangady river bank to station No. 72 at a distance of 460 links. From station No. 72 the line runs away from river bank to North of the block to station No. 80, after passing through the intermediate station No. 73 to 79 at a total distance of 2305 links. From 80th station the line runs to West to station No. 82, after passing the 81st station at a total distance of 645 links. From station No. 82 again the line runs to North to station No. 91, after passing the middle station No. 83 to 90, at a total distance of 2450 links. From station No. 91 the line runs to North-East to station No. 94, after passing through the station No. 92 and 93 at a total distance of 740 links. From 9th station the line runs to North to station No. 95 at a distance of 320 links. From station No 95 again to North-West to station No. 96 at a distance of 280 links. From station No. 96 again to West to station No. 97 at a distance of 295 links. From station No. 97 again the line runs to South-West to station No. 101 after passing through the intermediate station No. 98 to 100 at a distance of 1090 links. From station No. 101 the line runs to South to station No. 113 after passing through the middle stations 102 to 112 to a total distance of 3330 links. From station No. 113 the line runs to South-West to station No. 114 located on river bank at a distance of 260 links. From station No. 114 the line runs to West to station No. 117, after passing the middle stations 115 and 116 Gangady river bank at a total distance of 1020 links. From station No. 117 the line runs to South to station No. 118 at a distance of 200 links. From station No. 118 again to west to station

No. 119 at a distance of 410 links. From station No. 119 again the line runs to South to station No. 121 after passing through the middle station No. 120 at a total distance of 680 links. From station No. 121 again the line runs to West to station No. 0 (C. No. 1), after passing the middle station No. 122 at a total distance of 460 links. From station No. 0 (C. No. 1) the line runs away from the river bank to North of the block to station No. 3, after passing through the middle station No. 1 and 2 at a total distance of 765 links. From station No. 3 the line runs to North-West of the block to station No. 7 after passing through the intermediate stations 4 to 6 at a total distance of 1490 links. From station No. 7 the line runs to West to station No. 10, after passing the middle stations 8 and 9 at a total distance of 1225 links. The distance and bearing from station to station are as follows:—

Station Numbers From	To	Bearings in F. B.	Distances in links.
71	72	308	460
72	73	1	100
73	74	5	460
74	75	1.5	265
75	76	358	290
76	77	333	330
77	78	16	230
78	79	342	260
79	80	355	370
80	81	280	345
81	82	292	300
82	83	345	235
83	84	347	205
84	85	13	255
85	86	4	455
86	87	6	315
87	88	355	230
88	89	7	210
89	90	2	215

90	91	11	330
91	92	52	215
92	93	54	245
93	94	40	280
94	95	16	320
95	96	335	280
96	97	266	295
97	98	235	290
98	99	207	180
99	100	224	350
100	101	231	270
101	102	204	280
102	103	175	310
103	104	185	205
104	105	184	175
105	106	169	270
106	107	165	210
107	108	192	305
108	109	189	220
109	110	176	465
110	111	164	230
111	112	193	370
112	113	199	290
113	114	238	260
114	115	291	420
115	116	288	410
116	117	280	190
117	118	202	200
118	119	262	410
119	120	208	260
120	121	206	420
121	122	262	200
122	0	276	260
0	1	13	275
1	2	30	270
2	3	13	220
3	4	321	335
4	5	303	300
5	6	306	500
6	7	307	355
7	8	273	455
8	9	267	310
9	10	251	460

West.—From station No. 10 the demarcation line runs to North-West to station No. 11 at a distance of 370 links. From station No. 11 the line runs to North-East to station No. 14 after passing through the middle station No. 12 and 13, at a total distance of 1270 links. From station No. 14 the line runs to East to station No. 16 after passing the middle station No. 15, at a total distance of 615 links. From station No. 16 the line runs to North-East to station 25 after passing through the middle station No. 17 to 24 at a total distance of 3125 links. From station No. 25 the line runs to North to station No. 28 after passing the middle stations 26 and 27 at a total distance of 910 links. From station No. 28 the line runs to North-East to station No. 30, after passing the middle station No. 29 at a total distance of 1120 links. The distance and bearing from station to station are as follows:—

Station Numbers From	To	Bearings in F. B.	Distances in links.
10	11	329	370
11	12	48	290
12	13	56	300
13	14	46	680
14	15	82	280
15	16	78	335
16	17	38	460
17	18	66	365
18	19	36	270
19	20	52	240
20	21	51	450
21	22	48	335
22	23	63	430
23	24	43	370
24	25	47	205
25	26	28	335
26	27	15	270
27	28	3	305
28	29	39	390
29	30	34	730

Other rights.—

(1) Free grazing of cattle by villagers.

(2) Free removal of green leaves for the *bona fide* use of the ryots.

(3) Free removal of dry fuel and muligrass for the *bona fide* purpose of ryots.

[No. AFD 184 FAF 66.]

By Order and in the name of the Governor of Mysore,

1340 M. A. MECCAI, *Under Secy.*

NOTIFICATION.

Bangalore, dated 23rd October 1967.

S. O.2082.—In exercise of the powers conferred by sub-section (1) of section 27 of the Indian Forest Act, 1927 (Central Act XVI of 1927), as in force in the erstwhile Bombay area, the Government of Mysore is pleased to direct that the area specified below, which in the erstwhile Bombay Government Notification No. 10434-A, dated 23rd October 1907 was declared to be reserved forest under Section 19 of the Indian Forest Act, 1878 (VII of 1878), shall cease to be reserved forest from the date of this Notification.

Specification of land to be disforested.

District	*Taluka*	*Village*	*F. S. No.*	*Area* A G. Ans.
North Kanara.	Yellapur	Sondal Taraballi	111	2—11—0

Boundaries.

North: South: West:	F. S. No. 141
East:	F.S. Nos. 141 & 110

Remarks.—Entire area is disforested and excluded from the reserved forest.

[No. AFD 12 FAF 67.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI, *Under Secy*

1342

Food, Civil Supplies and Labour Secretariat

ORDER.

Bangalore, dated 27th October 1967.

S. O. 2033—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Shirin Talkies, Karwar on the points noted below;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute

"Whether the management known as Shirin Talkies, Karwar is justified in terminating the services of Shri B. D. Joshi (Balakrishna Dattatraya Joshi) Ex-workman, Vinekar Chawl, Karwar, with effect from 7th December 1966; if not, is he entitled for reinstatement with back wages or any other relief?"

(No. FCL 466 LLD 67.)

By Order and in the name of the Governor of Mysore,

1353 G. G. Purohit, *Under Secretary.*

ORDER.

Bangalore, dated 20th October 1967.

S. O. 2084.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Nav Bhart Slate Works, Bagalkot on the points noted below ;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication ;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli ;

Points of Dispute.

"1. Is the employer of the Nav Bharat Slate Works, Bagalkot justified in dismissing Shri Shivappa Karigar from Service and in denying work to Sri Rudrayya Halagali?

2. Are the workmen justified in demanding that Shri Shivappa Karigar and Sri Rudrayya Halagali reinstated with back wages?

If not, to what other relief are they entitled ?"

[No. FCL 599 LLD 67.]

By Order and in the name of the Governor of Mysore,

1331 G. G. PUROHIT, *Under Secretary.*

NOTIFICATION.

Bangalore, dated 17th October 1967.

S. O. 2085.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Industrial Disputes Act 1947 (Central Act 14 of 1947) the Government of Mysore hereby constitutes a Labour Court for the State of Mysore called the Labour Court, Mangalore.

The term of the said Court shall be two years from the date on which the Presiding Officer assumes charge of his duties.

[No. FCL 211 LLE 67.] (II)

By Order and in the name of the Governor of Mysore,

1359 G. G. PUROHIT, *Under Secretary.*

NOTIFICATION.

Bangalore, dated the 27th October 1967.

S. O. 2086.—In exercise of the powers conferred by sub-section (1) of Section 7-A of the Industrial Disputes Act. 1947 (Central Act 14 of 1 47), the Government of Mysore, hereby sanctions the continuance of the Additional Industrial Tribunal, Bangalore constituted under Notification No LMA 431 LLE66, Dated 16th November 1966, for a period of two years from 21st November, 1967.

[No. FCL 211 LLE 67.]

By Order and in the name of the Governor of Mysore,

1360 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated the 21st October 1967.

S.O. 2087.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of The Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura on the points noted below:

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the additional Industrial Tribunal at Bangalore.

Points of Dispute.

(1) Are the workmen employed by the Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura. listed in the Annexure 'A' entitled to the Designations, Grades and Fitments as claimed therein with effect from the date specified against each? If not. are they entitled to any other relief?

(2) Are the following workmen entitled to be confirmed with effect from the date mentioned against their names? If not, are they entitled to any other relief?

Sl No.	Name	Designation	Date from which to be confirmed
	Sriyuths:—		
1	R. Krishna Iyengar	Panman	2-2-1963
2	M. K. Shive Gowda	Man Water Supply Attenders	1-11-1960
3	Ismail		1-11-1960
4	D. M. Ramaswamy		1-11-1960

(3) Is the Management justified in terminating the Services of the following workers ? If not, are the workers entitled to reinstatement with backwages and continuity of services ?

Sriyuths :—

(1) Kempalinge Gowda T. No. 16
(2) N. Shankara, T. No. 323
(3) Honnaiah, T. No. 419
(4) Puttaswamy, T. No. 228
(5) Puttaswamy, T. No. 488
(6) Bhadregowda, Fitter Helper
(7) Jai Singh, Watchman
(8) Ningaiah, T. No. 290
(9) Survânarayana, T. No. 451
(10) Dasappa, T. No. 264
(11) Ramanna, T. No. 112
(12) Ningegouda, T. No. 126
(13) B. Krishna, Clerk
(14) S. S. Bhadok, T. No. 317, Fitter
(15) Siddegouda, T. No. 413, Fitter Helper
(16) Kenchaiah, T. No. 486 Carpenter
(17) T. M. Mahadevachari, T. No. 516, Tare Wigh Bridge Clerk
(18) R. Ponnappa, Driver

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(3) (b) Is the Management justified in terminating the services of the following workers ? If not, are the workers entitled to reinstatement with backwages and continuity of service ?

Sriyuths :—

1	Nanjegouda	12	Madaiah
2	Siddalingasetty	13	Ramaiah
3	Ramu	14	Pome Gowda
4	Karigowda	15	Thammanna Gowda
5	Shivanna	16	T. Sannaiah
6	Vairamudigowda	17	Dyave Gowda
7	Raju	18	Kempegowda
8	Ankegouda	19	Chinkaninge Gowda
9	Jannegouda	20	Kalle Gowda
10	Ningasetty	21	K. Kempe Gowda
11	Javarappa	22	Venkatappa

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(4) Are the workers employed in the Centrifugal Section, Boiling House (Pan Floor), Sulphur House, Steam Valves and Boiler Section of the Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura, entitled to Heat Allowance at the rate of 0.40 P. per worker per working day? If not, are they entitled to any other relief?

(5) Are the workmen employed in the Welding Section, Boiling Section, Sulphur and Lime sections and Watchmen, Motor Vehicle Drivers and Oil Men in the Mill and Boiling House of the Pandavapura Sahakara Sakkare Karkhane Ltd., Pandavapura, entitled to get 2 sets of Uniforms per year, each consisting of one pair of Trousers, one Shirt and a Pair of Footwear? If not, are they entitled to any other relief?

(6) Is Sri Narayana, T. No. 466 entitled to wages for the period from 14th August 1963 to 7th November 1963 on account of his not being taken on duty by the Management? If not is he entitled to any other relief?

(7) Are the workers who act in higher posts, entitled to receive Acting Allowance? If so, at what rate?

(8) Are the Vehicle Drivers entitled to a Daily Batta of Rs. 3 per day whenever they are sent out of the factory, beyond 12 miles, or are required to stay away from the factory at a distance beyond 12 miles? If not, are they entitled to any other relief?

(9) Are the workmen entitled to Furlough leave at the rate of six months on half pay or three months on full pay for every seven years of service in the factory, apart from the other leave benefits already enjoyed by them? If not, are they entitled to any other relief?

(10) Are the individual seasonal employees entitled to get the intimation of the date of reopening of the factory by Registered Post? If not, how they should be notified?

(11) Are the workmen residing at the Visveswaranagar Colony, entitled to get free transport facilities to and from the factory? If not, are they entitled to any other relief?

(12) Are the Workers justified in demanding that the Management should meet the Electricity Consumption charges in respect of the factory quarters in Visveswaranagar, to the extent of 8 units in respect of each quarters? If not are they entitled to any other relief ?

(13) Are the Operative Mechanics entitled to be fixed in the Highly skilled 'B' Grade in the scale of Rs. 135-7-170-EB-9-215 with effect from 1st November 1960? And at what stage they should be fixed in that grade? Are they entiled to the difference of wages from 1st November 1960?

[No. FCL 584 LLD 67].

By Order and in the name of the Governor of Mysore,

1305 G. G. PUROHIT, *Under Secy.*

ANNEXURE

Sl. No.	Name of worker		Designation given by the Management	Proper w/Board Designation c'aimed
1	2		3	4
Sriyutha :—				
1	R. Krishna Iyengar	...	Pan-man	Pan-in-charge
2	Davegowda	...	Hammer Man	Hamer Man
3	Shamasheer Jan	...	Welder B	Welder A
4	B. K. Gunda Setty	...	Lime Preparation only	Liming Mate
5	M. B. Boregowda	...	Water Measuring Attendar	Mas'e-ation Mate
6	G. K. Lingegowda	...	Do	Do
7	L. Lingegowda	...	Do	Do
8	S. Rettegowda	...	Do	Do
9	M. H. Puttaswamy	...	Magma Attender	Magma Mate

Grade claimed	Scale claimed	Date with effect from which the benefits are claimed
5	6	7
High Skilled A	180-9-220-EB-10-270	1-11-1960
Semi-skilled B	65-1/50-74	From the date of his transfer to workshop
Skilled A	105-6-135-EB-7-170	28-1-1963
Semi-skilled A	68-2-80 . .	1-11-1960
Do	Do	Do
Do	Do	Do
Do	Do	Do
Do	Do	Do
Do	Do	Do

10	V Srinivasa Setty	...	Hopper Cooly
11	Shivegowda	...	Lab Boy
12	N Puttaswamy	...	Final Molasses
13	Munieswamy	...	Sulphur Burner Cooly
14	On Karegowda	...	Hopper Cooly
15	K Mariswamy	...	Do
16	K S Shivappa	...	Juice Sulphitation Attender
17	G M Rangegowda	...	Lab. Boy
18	Thimmaiah Gowda	...	Boiling House Fitter
19	N K mpaiah	...	Do
20	N K Boraiah	...	Do
21	C Maryappa	...	Do
22	C K Kutti	...	Mill Fitter
23	J Narayana	...	Mill Fitter

Hopper Mate	Do	Do	Do
Laboratory Asst.	Do	Do	Do
Molassers recorder	Do	Do	Do
Sulphur Mate	Do	Do	Do
Hopper Mate	Do	Do	Do
Do	Do	Do	Do
Sulphitation Mate	Do	Do	Do
Lab. Asst.	Do	Do	Do
Head Fitter (Boiling House)	Highly skilled A	180–8–220–EB–10–270	Do
Do	Do	Do	Do
Do	Do	Do	Do
Do	Do	Do	Do
Head Fitter (Mill House)	Do	Do	Do
Head Fitter (Mill House)	Highly skilled	180–8·220 EB–10–270	1–11–1960

1	2	3	4
24	M Narayana Murthy ...	Asst. Fitter Mill Section,	Fitter (First)
25	M Bahuji ...	Do	Do
26	C B Kencbaiah ...	Do	Do
27	Krishnegowda ...	Do (Boiling Section	Do (Boiling Section)
28	S Madappa ...	Do	Do
29	Usman Khan ...	Do	Do
30	M Kempegowda ...	Lab. Chemist	Lab. Chemist
31	A Jacob ...	Turner II	Turner I
32	Y M Karigowda ...	Attender	Clerk
33	Eraiah ...	Steam Valve Operator	Steam Valve Operator
34	Sambulingaiah ...	Steam Valve Operator	Steam Valve Operator
35	R N Shivananjegowda ...	Do	Do
36	Narayana ...	Do	Do
37	S K Bettaiah ...	Do	Do
38	S C Channaveerappa ...	Wireman Helper	Asst Wireman (Qualified)
39	T A Ramachandra ...	Do	Do
40	Halagappa ...	Do	Do

5	6	7
Highly skilled B	135-7-170-EB-9-215	1-11-1960
Do	Do	Do
Do	Do	Do
Do	Do	Do
Do	Do	Do
Do	Do	Do
Supervisor D	200-10-250-EB-10-300	7-12-1961
Skilled A	105-6-135-EB-7-170	14-11-1960
Clerical IV	87-4-107-EB-5-132	1-11-1960
Semi-skilled B	65-1/50-74	1-11-1960
Semi-skilled B	65-1/50-74	1-11-1960
Do	Do	Do
Do	Do	Do
Do	Do	Do
Skilled C	75-3-96	Do
Do	Do	Do
Do	Do	Do

41	B Govinda Singh	...	Do
42	Suryanarayana	...	Do
43	Puttappa	...	Do
44	Ramaiah	...	Do
45	K K Narayana	...	Attender
46	K K Narayana	...	Attender
46	Abdul Asses Khan	...	Fitter O
47	NKrishnappa	...	Switch Board Attendant
48	Puttegowda	...	Do
49	Nadikere-gowda	...	Issue Boy
50	B Kalegowda	...	Issue Boy
51	O Basappa	...	Do
52	Ramalingegowda	...	Do
53	M V Ramu	...	Welder Helper
54	P Somasekhara swamy	...	Clerk
55	H K Siddaramu	...	Asst. Time Keeper
56	Nanjegowda	...	Do
57	G A Shivalingaiah	...	Do
58	H P Nanjappa Gowda	...	Do
59	Srinivasa Gowda	...	Pan Boy

Do	Do	Do	Do
Do	Do	Do	Do
Do	Do	Do	Do
Do	Do	Do	Do
Oilman (Boiling House)	Semi-skilled B	65-1/60-74	1-11-1960 (upto 21-1-1961)
Godown Keeper	Clerical III	105-6-135-EB-7-170	From 22-1-1961
Fitter I	Do A	Do	1-11-1960
Switch Board Attendant (Qualified)	Do C	75-3-96	From the date of his appointment
Do	Do	Do	Do
Store Issuer	Clerical III	105-6-135-EB-7-170	1-11-1960
Store Issuer	Do	Do	Do
Do	Do	Do	Do
Do	Do	Do	Do
Welder I	Skilled A	Do	-6-1964
Store Purchaser	Clerical III	Do	1-11-1960
Shift. Time Keeper	Clerical II	130-7-165-EB-8-205	Do
Do	Do	Do	Do
Do	Do	Do	Do
Do	Do	Do	Do
Asst. Pauman	Highly-skilled B	135-7-170-ED-9-215	Do

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT

CORRIGENDUM.

Bangalore, dated 31st October 1967.

S. O. 2038.—In the Government Notification No. LMA 54 MNB 66, dated 25th October 1967 regarding extension of limits of Belgaum City Municipality published at pages 4867 to 4874 of Part IV (2) (c) of the *Mysore Gazette*, dated 26th October 1967, under the Schedule 'C' and in the description of the boundaries in the 'EAST', (1) for the word "or" occurring in the 5th line, substitute the word 'of' (2) for the number '416' occurring in the 19th line, substitute the number '516'.

[No. LMA 54 MNB 66.]

By Order and in the name of the Governor of Mysore,

1366 **P. V. JOSHI, *Under Secy.***

REVENUE SECRETARIAT

NOTIFICATION.

Bangalore, dated the 26th October 1967.

S. O. 2089.—WHEREAS the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the I. A. S., it is expedient to appoint Smt. Sarita Ram Prakash as Special Tahsildar for a taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsildar.

NOW, THEREFORE, in exercise of the powers conferred by sub section (1) of Section 12 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964) the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Bangalore North Taluk in Bangalore Division for a period of two months from 15th December 1967.

This notification is issued in partial modification of Government Notification No. RD 271 ASG 67 dated 21st September 1967.

[No. RD 306 ASG 67.]

By Order and in the name of the Governor of Mysore,

1362 K. C. PUTTANARASIAH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 26th October 1967.

S. O. 2090.—In exercise of the powers conferred by sub-section (3) of Section 12 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964) the Government of Mysore hereby appoints Kumari K. Bhavani I. A. S. Probationer, as Special Tahsildar, of Mysore taluk for a period of two months from 1st November 1967.

She shall exercise all the powers and perform all the duties as are exercised and performed by a Tahsildar under the Mysore Land Revenue Act, 1964 during the said period.

[No. RD 303 ASG 67.]

By Order and in the name of the Governor of Mysore,

1363 K. C. PUTTANABASIAH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 26th October 1967.

S. O. 2091.—Whereas the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the probationer of the I. A. S., it is expedient to appoint her as Special Tahsildar for a Taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsildar.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 12 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Mysore taluk in Mysore Division for a period of two months from 1st November 1967.

[No. RD 303 ASG 67.]

By Order and in the name of the Governor of Mysore,

1365 K. C. PUTTANARASIAH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 28th October 1967.

S. O. 2092.—In exercise of the powers conferred under Rule 15 (1) of the Mineral Concession Rules, 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 92 EPI 67, dated 8th June 1967 sanctioning a Prospecting Licence for China Clay in respect of the area of 95.10 acres of land in Balehosur Village, Shirhatti Taluk, Dharwar District in favour of Messrs. Lingaraj Mills, Haveri, as the grantee failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 161 EPI 67.]

By Order and in the name of the Governor of Mysore,

1371

N. NARAYANASWAMY, *Under Secy.*

FINANCIAL SECRETARIAT.

NOTIFICATION.

Bangalore, dated 21st October 1967.

S. O. 2093.—In exercise of the powers conferred by sub-section (2) of Section 17 of the Mysore Agricultural Income Tax Act, 1957 (Mysore Act 21 of 1957), and in supersession of Notification-I No. FD 55 CSE 67, dated 22nd February, 1967, the Government of Mysore hereby appoints the Officers specified in Column (2) of the Table below to be the Officers specified in the corresponding entries in column (3) to exercise the powers and perform the functions and duties respectively conferred on them by or under the said Act, in respect of all classes of persons and agricultural income, in the areas specified in the corresponding entries in column (4) thereof:—

TABLE.

Sl. No.	Designation of Officers and their Headquarters.	Designation of the Officers as appointed under the Act.	Area.
1	2	3	4
1.	Deputy Commissioner of Agricultural Income tax, Mysore.	Deputy Commissioner of Agricultural Income tax	Districts of South Kanara, Coorg, Mysore, Mandya, Hassan, Chikmagalur, Shimoga, Bangalore, Kolar, Tumkur and Chitradurga.
2.	Deputy Commissioner of Agricultural Income Tax Dharwar.	Deputy Commissioner of Agricultural Income Tax	Districts of Belgaum, Bijapur, North Kanara, Dharwar, Bellary, Raichur, Gulbarga and Bidar.

[No. FD 442 CSE 67.]

By Order and in the name of the Governor of Mysore,

1634

SYED GULAM KHAJA,
Under Secy.

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 21st October 1967.

S. O. 2094.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest ;

(ii) appoints the Forest Settlement Officer, Mangalore, to be the Forest Settlement Officer for purposes of clause (c) of the said Section ; and

(iii) appoints the Divisional Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara
Name of the Taluk	...	Puttur
Name of the Villages	...	Peruvaje.—S. Nos. 178, 180, 181 and 154/1. Palthadu.—S. Nos. 25 and 86. Koltbige.—S. Nos. 1/1 and 5/1. Keyyur.—S. Nos. 238/3A, 234/1A and 361/1-3.
Area	...	335 Acres.
Name of the Block	...	Palthadu Block.

Boundary Description

North.—Starting from station No. 133 the line runs due East to a distance of 1514 links to station No. 136 and then turns due South and South–East to a distance of 993 links upto station No. 139, wherefrom it goes due North–East to a distance of 406 links to station No. 141. Then it turns due East to a distance of 827 links to station No. 144 and turns due North to a distance of 925 links to station No. 147. From this station, the line takes Easterly course and runs a distance of 1666 links upto station 152 then runs due North–East to a distance of 500 links, to station No. 153, where it meets the road leading from puttur to Bellare. Then the line leaves the road and runs due South–East to a distance of 278 links to station No. 154 and then turns due South–West to a distance of 553 links to station No. 155 and again due South–East to a distance of 220 links to station No. 156. From here the line turns due South–West to a distance of 600 links to station No. 157 then South–East to a distance of 587 links to 159. Then it turns due South–West to a distance of 542 links to station No. 160 then due East to distance of 645 links to station No. 161. From this station it goes due North to a distance of 1910 links and meets station No. 163 and also the road coming from Puttur-Bellare Road. The line here crosses the said road between 6/4 and 6/5 mile stone and runs due North–West almost parallel to the road to a distance of 1385 links and meet staion No. 166 and then leaves the road, which runs due West and the line due North–East to a distance of 815 links to station No. 167. From this station, the line runs due West to a distance of 151 licks to station No. 168 and turns due North to a distance of 112 links to station No. 163. Now the boundary runs in Kevyur Village and turn due North–East to a distance of 1110 links to station No. 171. Then it abruptly runs down due South to a distance of 1085 links to station No. 179, wherefrom it turns due South–East to a distance of 413 links to station No. 173 and then goes due North–East to a distance of 261 links to station No. 174, then goes due North to a distance of 560 links to station No. 176. From this point, the line runs due North-East to a distance of 1363 links to station No. 178 and then turns due South to a distance of 824 links to station 179. The line then turns due North-East to a distance of 441 links to station No. 180 and then goes due South–East to a distance of 1040 links to station No. 183. From this station the line runs due South-West to a distance of 1775 links to station 1 and the starting point. From station No. 1 the line runs due South and crosses the road and runs to a distance of 349 links to station No. 2 The road then runs due East and leaves the line which also runs South–East to a distance of 917 links to station No. 5 and then again goes due South–East to a distance of 984 links to station No. 8. The line then turns due North-East to a distance of 700 links to station No. 10. From here the line goes due North and after running a distance of 225 links meets Puttur-Bellare road and leaves the

road at 325 links and further runs to a distance of 290 links to station No. 11 where also the village boundary stone is fixed. From this village boundary stone, the line runs due East to a distance of 275 links to station No. 12 and then goes due North-East to a distance of 348 links to station No. 13. From here the line takes a Easterly course to a distance of 1432 links to station No. 17 and then runs due North to a distance of 1247 links to station No. 30 then runs due East to a distance of 1235 links to station No. 24. Now the line turns due South to a distance of 330 links to station No. 25, where from it runs due East to a distance of 345 links to station No. 26 then turns due North-East to a distance of 458 links to station No. 28.

Bearings and distances from station to station are furnished below :

Station From	Numbers To	Bearings	Distances in links
133	134	90	439
134	135	106	707
135	136	120	368
136	137	182	217
137	138	142	504
138	139	139.5	272
139	140	65.5	180
140	141	61.5	226
141	142	99 5	243
142	143	101	274
143	144	8 .5	310
144	145	7.5	294
145	146	10	248
146	147	40	383
147	148	101	558
148	149	104.5	265
149	150	100	327
150	151	83	291
151	152	94.5	2 5
152	153	44	500
153	154	141	278
154	155	199	553
155	156	111	220
156	157	206	6 0
157	158	131.5	353
158	159	103.5	214
159	160	203 5	522
160	161	99 5.	645
161	162	13 5	950
162	163	3.5	960

Station From	Numbers To	Bearings	Distances in links
163	164	291.5	914
164	165	297.5	623
165	166	301	286
166	167	31.5	845
167	168	276	851
168	169	10	112
169	170	74	488
170	171	89 5	632
171	172	185.5	105
172	173	111	413
173	174	57.5	961
174	175	356	827
175	176	312.5	233
176	177	44	843
177	178	56	519
178	179	155	824
179	180	72	441
180	181	138	500
181	182	133.5	183
182	183	129	3 2
183	184	211.5	384
184	185	232	42
185	186	265.5	892
186	187	240	375
187	188	243	247
188	1	214	395
1	2	11	319
2	3	122	365
3	4	88	348
4	5	81.5	204
5	6	119	241
6	7	120	221
7	8	151	482
8	9	69	264
9	10	66	436
10	11	18	9 10
11	12	85	2 5
12	13	19	3 8
13	14	72 5	2 6
14	15	83 5	228
15	16	80	651
16	17	65 5	415
17	18	8.5	120
18	19	3	222

Station From	Numbers To	Bearings	Distances in links
19	20	16.5	505
20	21	135.5	508
21	22	96	320
22	23	63	147
23	24	110	260
24	25	158	330
25	26	92	435
26	27	40	230
27	28	48	228

East.—From station No. 28, the line which is in Peravaje Village runs due South-East to a distance of 325 links to station No. 29 and then due South to a distance of 502 links to station No. 30, wherefrom it turns due South-West to a distance of 1413 links to station No. 34 and turns due East to a distance of 430 links to station No. 35, and again due South–East to a distance of 609 links to station No. 37. From this station, the line runs due South-West to a distance of 509 links to station No. 38 and then turns due North–West to a distance of 742 links to station No. 40. Then the line runs due South-West to a distance of 532 links to station No. 41 wherefrom it runs due South–East to a distance of 2978 links to station No. 52 and then due South–West to a distance of 305 links to station No. 53. The line again goes towards South–East to a distance of 270 links to station No. 54 and then due North–East to a distance of 234 links to station No. 55. From this station, the line runs due South to a distance of 780 links to station No. 57. At station No. 56 the line meets the village boundary line. From station No. 57 the line runs due South-West to a distance of 392 links to station No. 58 and then due West to a distance of 362 links to station No. 59, where it meets again the Puttur-Bellare road.

The Bearings and distances from station to station are furnished below :—

Station From	Numbers To	Bearings	Distances in links
28	29	109	325
29	30	167.5	502
30	31	228	382
31	32	246	318
32	33	270	510
33	34	150	203
34	35	89	430
35	36	123	352

Station From	Numbers To	Bearings	Distances in links
36	37	158.5	257
37	38	210.5	509
38	39	310	4 9
39	40	303	253
40	41	240	532
41	42	161	325
42	43	109 5	280
43	44	138-5	351
44	45	17 .5	214
45	46	1 2 5	286
46	47	101.5	210
47	48	124	1 0
48	49	111.5	209
49	50	164 5	178
50	51	114	370
51	52	153	393
52	53	201.5	305
53	54	143	270
54	55	69 5	234
55	56	168 6	505
56	57	186	275
57	58	235 5	392
58	59	2:0 5	361

South.—From station No. 59, where also the line meets the road, the line runs due South-West and along the road to a distance of 2212 links and meets the station No. 61. Then the line leaves the road and runs due North-East to a distance of 410 links to station No. 64 and then due West to a distance of 1211 links to station No. 66, and again runs due South to a distance of 402 links to station No. 67. From here the line runs again along the road to a distance of 549 links to station No. 69 wherefrom it leaves the road and runs due North to a distance of 701 links to station No. 70 and again turns due West to a distance of 750 links to station No. 71 and then South to a distance of 550 links to station No. 72. From here the line runs along the road to a distance of 565 links to station No. 73 from which place the road runs due West and the line due South-West to a distance of 907 links to station No. 75. The boundary line now runs due South-West to a distance of 2,620 links unto station No. 81 and then due south to a distance of 505 links to station No. 86 then due West to a distance of 660 links to station No 87 and then to a short distance of 292 links then runs due North to station No 88 and then turns due South-West to a distance of 872 links to station No 91. From this station the line runs due South-West to a distance of 313 links to station No. 92 and then due South-West to a

distance of 510 links to station No 94 thence again due North-West to a distance of 182 links to station No. 95 wherefrom it runs due South-West to a distance of 1,053 links to station No. 99. Then the line runs due North-West to a distance of 1,486 links upto station No. 105 and then it runs due South-West to a distance of 157 links to station No. 106 and then due West to a distance of 442 links to station No. 107.

The bearings and distances from station to station are furnished below :—

Station Numbers		Bearings	Distances
From	To		in links
59	60	314.5	317
60	61	306	866
61	62	289	690
62	63	296.5	369
63	64	44	440
64	65	307.	610
65	66	292.5	601
66	67	201	402
67	68	281·5	294
68	69	308.5	235
69	70	55	750
70	71	302	750
71	72	220	550
72	73	302	565
73	74	229.5	634
74	75	241	273
75	76	280.5	348
76	77	260	611
77	78	215	140
78	79	276	190
79	80	266	140
80	81	291	273
81	82	239.5	256
82	83	245	329
83	84	243	195
84	85	203	298
85	86	196	140
86	87	264	316
87	88	311.5	282
88	89	214 6	357
89	90	228 6	267
90	91	187 5	218
91	92	140.6	323
91	93	259.5	105
93	94	251	406

Station From	Numbers To	Readings	Distances in links
94	95	302.5	182
95	96	255	216
96	97	216	164
97	98	222	267
98	99	246 5	406
99	100	323	270
100	101	283	286
101	102	283 5	184
102	103	256 5	311
103	104	331	313
104	105	293.5	122
105	106	208	157
106	107	261	442

East :—Starting from station No. 107, the line runs due North-West to a distance of 1169 links upto station No. 111 then it runs due South-West to a distance of 268 links to station No. 112 and then due North-West to a distance of 634 links to station No. 113 and then due North-East to a distance of 444 links to station No. 115 From this station No. 116 which return runs due South-West to a distance of 96 links to station No. 117 and then turns due West to a distance of 552 links upto station No 119. Now the line changes its course and runs due North-West to a distance of 470 links to station No. 120. hence runs due North East to a distance of 681 links to station No. 122 then again runs due North-East to a distance of 774 links to station No. 125. From this station the line runs due South West to a distance of 1058 links to station 125 where from it runs due North-West to a distance of 135 links to station No 126 and then runs due North-East to a distance of 428 links to station No. 127 and then runs due North-West to a distance of 402 links to station No 128 and again it runs due South-West to a distance of 478 links to station No. 129 and then runs due North-West to a distance of 405 links to station No. 30 and then turns due North-East to a distance of 313 links to station No. 131, then it runs due East to a distance of 510 links to station No. 132 and finally runs due North-East to a distance of 167 links to station No. 133.

The bearings and distances from station to station are furnished below :—

Station Numbers From.	To	Bearings	Distances in links
107	108	323.5	298
108	109	323	184
109	110	330.5	273
110	111	351	414
111	112	2?0	153
112	113	322 5	534
113	114	30	138
114	115	30	504
115	116	307	294
116	117	231	95
117	118	262.5	314
118	119	312	470
119	120	48	228
120	121	66.5	403
121	122	13	774
122	123	250.5	744
123	124	223.5	354
125	126	315	185
126	127	78.5	428
127	128	325	491
128	129	331	478
129	130	303.5	605
130	131	353.5	313
131	132	71	590
132	133	6.5	187

Description of the Boundary line :—The road leading from Puttur to Bellare enters the plantation between 6/2 and 6/3 mile stone and runs almost to the middle of the plantation till it reaches station No. 73 wherefrom the boundary line deviates and the road forms the southern boundary of the plantation and till its end. The villages each have their boundary line laid out on ground. There are some wooded areas inside, which are excluded from planting. The area is a barren hillock with admixture of scrub timber growth here and there. The soil a gravelly one well suited for cashew plantation, hence selected for raising cashew plantation.

Right of way :—(1) The road from Puttur to Bellare has to be kept open for public use.

Other Rights :—

(1) Free grazing of cattle by villagers.

(2) Free removal of green manure leaves for *bona fide* use by the villagers.

(3) Free removal of dry fuel for *bona fide* use.

(4) Free removal of thatch grass.

[No. AFD 101 FAF 67.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

ORDER

Bangalore, dated the 30th October 1967.

S. O. 2095.—Whereas the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of Bharat Beedi Works, Mangalore on the points noted below;

And whereas the Government of Mysore consider it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (*c*) of sub section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"Is the Management of M/s. Bharath Beedi Works, Mangalore, justified in refusing employment of Shri K. Srinivasa Rao, Driver ?

If not, whether the workman is entitled for reinstatement with back wages ?

If not. to what other relief is the workmen entitled ?"

[No. FCL 493 LLD 67.]

By Order and in the name of the Governor of Mysore,

1374 G. G. Purohit, *Under Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2096.—WHEREAS by Government Notification, Revenue Department No. 2380/45, dated the 30th January 1948 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of gur, cotton (ginned and unginned) and groundnut (shelled and unshelled) in the area of Gokak Taluk of Belgaum District and declared it to be a market area;

AND WHEREAS by Government Notification Development Department No. PMA 4150, dated the 14th December 1950, issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased regulate the purchase and sale of Tur and safflower in addition to gur, cotton (ginned and unginned) and ground nut (shelled and unshelled) in the said Market area;

AND WHEREAS by Government Notification Development Department No. ADM 8854, dated the 26th March 1955 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Jowar, wheat, bajri and chillies in addition to gur, cotton (ginned and unginned) ground nut (shelled and unshelled), tur, and safflower in the said Market area;

AND WHEREAS by Government Notification No. DPC 135 CMD 67, dated the 5th July 1967, issued under sub-section (4) of the Section 4 of the Bombay Agricultural

Produce Markets Act, 1939 (Bombay Act XXII of 1939), as in force in the Bombay area, the Government of Mysore declared intention to regulate the purchase and sale of onions and maize also in addition to gur, cotton (ginned and ungirned), ground nut (shelled and unshelled), tur, safflower, jowar, wheat, bajri and chillies in the said Market area;

Now, THEREFORE, in exercise of the powers conferred by sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Mysore, hereby direct that with effect from 16th November 1967 the said area shall be a market area for the purposes of the said Act in respect of onions and maize in addition to gur, cotton (ginned and unginned), ground nut (shelled and unshelled), tur, safflower, jowar, wheat, bajri and chillies in the said Market area.

(No. DPC 135 CMD 67.)

By Order and in the name of the Governor of Mysore,

1367 S.V. PRABHU, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S. O. 2097.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said Section; and

(iii) appoints the Divisional Forest Officer, Mangalore to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara
Name of the Taluk	...	Puttur
Survey Field Nos.	...	4/1
Extent	...	171.10 acres
Name of the Block	...	Bajathur Block II

Boundary description.

North.—Starting from the North-Western corner of the cairn of 1963 cashew plantation of Bajathur village, the boundary line runs in the South-Eastern direction to station No. 2 passing through the intermediate station No. 1 to a distance of 1087 links. From there it runs in the South-Western direction to station No. 4 passing through the intermediate station No. 3 to a distance of 978 links Thence the boundary line runs in the South-Eastern direction to station No 6 passing through the intermediate station 5 to a distance of 1048 links. From that point the boundary line of the block runs in the South-Western direction to station No. 8 at a distance of 652 links, passing through the intermediate station No. 7. From there the line runs in South-Eastern direction to reach the station No. 11 passing through the intermediate station No. 9 and 10 at a distance of 1148 links. Thence it runs in North-East direction to a distance of 630 links to reach station No. 12. From there it runs in the South-Eastern direction to station No. 15, passing through intermediate station 13 and 14 to a distance of 1943 links. Thence the line runs in the North-Eastern directions to a distance of 1240 links to reach station No. 16. Thence it runs in the South-Eastern direction to a distance of 1066 links to join station No. 17. Thence it runs in the North-Eastern direction to a distance of 427 links to join station No. 18. From there it runs in the South-Eastern direction to a distance of 412 links to join station No. 19. The bearing and distance from station to station are as follows:—

Station Numbers		Bearings in degrees in F. B.	Distances in links
From	To		
1	2	3	4
0	1	99.30°	818
1	2	157°	273
2	3	222°	308
3	4	220.30°	610

1	2	3	4
4	5	171°	490
5	6	136.30°	558
6	7	262	369
7	8	230°	313
8	9	145°	529
9	9A	122.30°	272
9A	10	125.30°	254
10	11	58.30°	293
11	12	87°	630
12	13	114°	614
13	14	103°	753
14	15	92.30°	576
15	16	66°	1240
16	17	48°	1046
17	18	82°	427
18	19	127.30°	412

East—Thence the boundary line of the block runs in the South-Western direction to a distance of 3164 links to join station No. 24 passing through the intermediate stations from 19A to 23. From there it runs in South-Eastern direction to a distance of 821 links to join station No. 26 passing through intermediate stations 25 and 25A. From there it runs in the North-Eastern direction to a distance of 637 links to join station No. 27A passing through intermediate station 26A and 27, and from there it runs exactly in Eastern direction to a distance of 171 links to join station No. 28. From there it runs in the South-Eastern direction to a distance of 270 links to join station No. 29. From there it runs in the South-Western direction to a distance of 2523 links to join station No. 36 passing through intermediate stations Nos. 30 to 35. The bearings and distance from station to station are as follows :—

1	2	3	4
19	19A	241.30°	200
19A	20	240.30°	573
20	21	238	842
21	22	216	459
22	23	270	668
23	24	181.30°	422

1	2	3	4
24	25	153	430
25	25A	109.30°	162
25A	26	116.30°	212
26	26A	59.30°	173
26A	27	64.30°	174
27	27A	58	290
27A	28	90	171
28	29	120	290
29	30	240.30°	278
30	31	251.30°	279
31	32	258.30°	410
32	33	235	240
33	34	201	552
34	35	207.30°	250
35	36	243.30°	619

South—The boundary line runs in the North-West direction to a distance of 650 links to join station No. 37 passing through intermediate station from 36A. From there it runs in the Northern direction to a distance of 517 links to join station No. 38. From there it runs in South-Western direction to a distance of 190 links to join station No. 39. From there it runs in the North-Eastern direction to a distance of 623 links to reach the station No. 40 and from there it runs in North-Western direction to a distance of 185 links to join station No. 41. Thence it runs in the South-Western direction to a distance of 847 links to reach station No. 42 passing through intermediate stations 41A to 41B. Thence it runs in North-Western direction to a distance of 1148 links to join station No. 44 passing through the intermediate station from 43. Thence the boundary line runs in the South-Western direction to a distance of 1114 links to join the station No. 46 passing through intermediate stations from 45 and 45A. Thence it runs in the north-western direction to a distance of 530 links to reach station No. 47 passing through intermediate stations from 46A and 47. Thence it runs in the South-Western direction to a distance of 1796 links to reach station No. 51A passing through intermediate stations 49 to 51. Thence

it runs in North-Western direction to a distances of 128 links to join station No. 52. The bearings and distance from station to station are as follows:—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links
36	36A	312	482
36A	37	317.30°	164
37	38	2	517
38	39	255	190
39	40	41	623
40	41	332	1-5
41	41A	224.30°	344
41A	41B	248	328
41B	42	263	276
42	43	294	649
43	44	290	500
44	45	195	600
45	45A	200	374
45A	46	207	140
46	46A	286.30°	164
45A	47	2-0	150
47	48	294 30°	226
48	49	244	349
49	49A	233 30°	259
49A	50	227 30°	195
50	51	260	350
51	51A	274.30°	571
51A	52	287	128

West—Thence the boundary line of the block runs in the North-Eastern direction a distance of 2600 links to join station No. 59 passing through intermediate stations 52 to 58. Thence it runs in the North-Western direction to a distance of 1216 links to join station 62 passing through intermediate station 61. Thence it runs in the North-Eastern direction to a distance of 266 links to join station No. 63 passing through intermediate station No. 62A and thence it runs in the North-Western direction to a distance of 213 links to join station 63A. Thence it runs in the North-Eastern direction to a distance of 456 links to join station No. 65 passing through intermediate station from

61. Thence it runs in North-Western direction to a distance of 763 links to join station No. 67 passing through intermediate stations 66 and 66A. Thence it runs in the North-Eastern direction to a distance of 559 links to join station No. 69 passing through an intermediate station from 68. Thence the boundary line runs in the Northern direction to a distance of 483 links to join station No. 69A and thence it runs in the North-Eastern direction to a distance of 1016 links to join station No. 0 passing through the intermediate stations from 69 B to 6 C.

The bearings and distance from station to station are as follows:—

1	2	3	4
52	53	27	331
53	54	19	437
54	54A	11.30°	163
54A	55	18	3.9
55	56	23.30°	306
56	57	22.30°	460
57	57A	19	2.9
57A	58	29.30°	142
58	59	22.30°	183
59	59A	310.30°	444
59A	60	303	68
60	61	307.30°	453
61	62	315	201
62	62A	37	145
62A	63	32.50°	121
63	63A	351.30°	212
63A	64	47.30°	238
64	65	54	207
65	66	333	251
66	66A	326.30°	351
66A	67A	333	161
67	68	9.30°	134
68	69	24	423
69	69A	359	483
69A	69B	81	409
69B	69C	34	503
69C	0	32	104

Enclosure : Starting from the station No. 54 of Bajathur Block a tie line is drawn South-Eastern direction at a distance of 40 links to reach the station No. 1 of the enclosure. Then the survey line runs to North-East direction to station No. 2 at a distance of 544 links. From here the line turns South-Eastern direction over a distance of 300 links to station No. 3. Thence it runs Southern direction at a distance of 741 links to station No. 4 passing through the intermediate station No. 3A. Then the line runs North-West direction to the station No 1, at a distance of 596 links. Thence the traverse closes. The bearings and distance from station to station are as follows :—

1	2	3	4
51	1	109°	409
1	2	25	544
2	3	108	300
3	3A	185	488
3A	4	177½	253
4	1	304½	596

Other Rights :

1. Free grazing of cattle by villagers inside the block.

2. Free removal of green manure leaves for the *bona fide* use by the ryots.

3. Free removal of dry fuel for the *bona fide* use by the villagers.

4. Free removal of Muligrass for the *bona fide* use by the ryots.

[No. AFD 48 FAF C7.]

By Order and in the name of the Governor of Mysore,

M. A. MECCAI, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2398.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Municipal Arts College, Lakshmeshwar to the Karnatak University for teaching Pre-University Arts and B.A., Part I Courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 99 UAC 67.]

By Order and in the name of the Governor of Mysore,

1378 S. N. SREENATH, *Under Secretary.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21. Kasturba Road, Bangalore-1

Award of the Additional Industrial Tribunal, Bangalore—Published.

Read the following papers:—

(1) Letter No. I. T No. 597-3/67-68, dated 17th October 1967 from Shri V. C. Ramachandran Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

Dated this 11th October 1967.

Present :

Sri V. C. Ramachandran, B.A., B.SO., (London) Bar-at-Law,
... Presiding Officer

A.I.D. No. 31 of 1966

I Party. *vs* *II Party.*

Workmen of Voltas. Ltd., 21, Kasturba Road, Bangalore-1.

Management of Voltas, Ltd., 21, Kasturiba Road, Bangalore-21

Appearances.

For the I Party.—Sri K. P. Sachindranath, Trade Unionist.

For the II Party:—Sri V. L. Narasimha Murthy, Advocate, Bangalore.

Reference

Government Order No. PLM 486 LLD 65, Bangalore, dated 25th November 1965.

AWARD.

This is a Reference by the Government of Mysore of an industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1, under section 10 (1) (d) of the Industrial Disputes Act, 1947, made by their Order

No PLM 486 LLD 65. dated 25th November 1965 This Reference was transferred from the file of the Industrial Tribunal, Bangalore, to this Additional Industrial Tribunal, by an Order N . LMA 525 LLE 66, dated 17th December 1966, and it was registered as A. I D. No 31 of 1966. There are as many as 16 demands made by the I Party workmen which have been referred to this tribunal for adjudication. The points of dispute referred are as per Annexure "A" to this award.

2. The II Party Company M/s Voltas, Ltd , which will hereafter be referred to as the Company, came into existence in the year 1954 as a result of collaboration between a Swis Firm known as M/s Volkart Brothers, and the Indian Company M/s. Tata & Sons. Ltd. It has its Head Office at Bombay and Branches in various places and one at Bangalore, with which we are concerned The main activity of the company so far as this Bangalore Branch is concerned, is the sale and servicing of the various Engineering products such as Electrical equipment, mining equipment, agricultural machinery and implements, Air conditioning and Refrigeration machinery, materials handling equipment etc. The manufacturing side of this Company is situated elsewhere at Thane and Chinchpokli. The workmen contend that the Company has been doing very good business as distributors of Engineering goods and also of Pharmaceuticals articles It is in fact the sole distributor of certain Engineering commodities as well as pharmaceutical products The company has been expending its activities to meet the growing demands for its various products in this country and in order to further its business it has opened branches in various places and the Regional office in Bangalore was opened in 1956. The Branch at Bangalore has been steadily increasing its turn-over, gross profits and net profits year by year and due to the efforts of the workmen the company has built huge reserves and increased the quantum of dividends. It is therefore in a position to meet the demands and its financial capacity remains undisputed.

3. The workmen submit that they are entitled to a share in the prosperity of the company and under the Socialistic pattern of Society, they should be given a fair wage which will enable them to meet their needs in life. They submit that there has been a change in the circumstances justifying a revision in the wage scales and although a living wage is at present unattainable, they are certainly entitled to atleast a fair wage which is in keeping with the modern trend towards the establishment of a welfare

state. The minimum wage for a working class at the cost of living index of 399 at Bombay has been found to be about Rs 118/- for a family of 4 consumption units. The cost of living index has risen to about 690 and therefore the wage structure has to be revised on the basis of prices prevailing to-day.

4. The I Party Union was founded in the year 1957 to protect and promote the interest of the workmen. In the year 1958 a Settlement was reached with regard to the various demands put up by the Union between them and the management, and that settlement expired in 1960 Soon after another charter of demands was made by the Union in the year 1961 and after protracted negotiations for about 1½ years another settlement was reached in 1962 which again expired in 1964. The Union made demands again on 11th January 1965, but they were not conceded by the management and after prolonged discussion the chapter of demands was referred to the tribunal by the Government of Mysore under Sec. 10 (2) of the Industrial Disputes Act, 1947.

5. The I Party contends that in view of the high prices prevailing they are entitled to proper wages in commensurate with the rise in the cost of living. The D. A paid by the Company does not fully neutralise the constant rise in cost of living. The workmen had been deprived of the weightage irrespective of the seniority, and the wage structure when compared to their counter parts in Bombay and other places, is very low although Bangalore is the costliest city in this country. The Company has standardised the scales of pay for some of its employees on an All India basis while they refused to do the same in the case of the workmen at Bangalore. There is a wide gap existing between the scales of pay prevailing at Bombay, Cacutta Delhi and Bangalore, and the workmen contained that as the nature of work is the same all over India, and the company has a uniform price policy throughout the country there should be uniform wage scales.

6. The first demand is for abolition of the existing designations and introduction of three scales for the Clerical staff They seek for higher start for Stenographers, Draftsmen, Salesmen, Technical Assistants and erecters, together with allowances The 2nd demand is for reclassification and adjustments as no weightage has been given at the time of the settlement in 1958. The next demand is for full neutralisation of the rise in the cost of living with effect from 1st October 1964. They further state that the

working hours should be reduced and that the discrimination between the employees in the office and the employees in Godowns and Service station who work for 43 hours a week should be abolished. The workmen submit that 35 hours a week should be fixed as a maximum for the entire establishment. They want that over-time should be paid at double the rate over and above the normal working hours and when the worker is asked to go on a festival holiday, he should be given a compensatory off. They demand an alteration in the rate of Travelling Allowance, Lunch Allowance and ask for free lunch to be supplied to them. They further want Casual leave to be increased from 10 days to 12 days in a year and privilege leave on completion of 11 month' service, and 30 days sick leave with a right to accumulate up to 180 days. Maternity leave and Special leave in the event of an accident during the course of employement, and that all the employees should get 18 holidays, Their dependents must also be given medical benefit by their own family docotors at the expense of the company. Promotions should be according to seniority. The last demand is with regard to uniforms which should be supplied to all Mazdoors, Packers, Carpenters, Drivers and Helpers.

7. The Company has resisted every one of these demands made by the workmen. The company does not manufacture any commodity in Bangalore, but carries on only trade and commercial activity with a small service station employing only about 25 workmen. In all there are altogether about 113 workmen in the Bangalore Branch, The Company contends that the settlements in 1953 as well as in 1964 were reached after both parties had fully considered the then prevailing circumstances and after taking into account the total emoluments paid to the employees in concerns of comparable size and engaged in comparable activities in Bangalore. The settlements were terminated by the Union and fresh charter of demands was made on 11th January 1965. The Company contends that there has been no material change in the circumstances which warrant any alteration in the service conditions of their employees. The wage scales are long-term arrangements and should only be altered if the circumstances are so materially changed as to warrant it.

8. The company states that the workmen have been receiving various benifits like bonus and increase in DA as a result of linking it to the cost of living index. About 41 per cent of the business of the Company consists of sale and distribution of imports

from abroad and 59 per cent due to the manufacture and distribution of products produced in this Company. Due to the drastic cuts and restrictions in imports, the business of the Company has been seriously affected. The Company states that the existing conditions of service and the emoluments are not only fair but liberal and compare very favourably with the service conditions in other comparable concerns. It is not true that the Company has built up huge reserves or increased the quantum of dividends. They submit that the present demands made by the Union are unreasonable, unjustified, particularly in the present state of uncertainty about the future. Any move to merely increase wages, according to the Company, will only result in inflation bringing in its wake misery and economic disaster to the community at large. An increase in wages without corresponding increase in productivity will only lead to inflation and its attendant evils of high prices and low purchasing power. The need-based wage is only an ideal impossible of attainment within the foreseable future. The recommendations made by the 15th Labour Conference cannot be depended upon. At the start of the service of a workman only 2 25 consumption units can be taken into account and the calory intake should not be according to the Dr. Ackroid's formula as under Indian conditions it is very much less The Company contends further that it is futile for the workmen to demand a revision of their emoluments because of living index as the scheme of D.A. in force compensates the employees for any rise in the cost of living. The basic wages paid by the Company are quite adequate and they have been fixed by virtue of a settlement entered into by the management and the workmen after prolonged negotiations and discussions. None of the workmen were deprived of any legitimate rights and dues. The workmen are not entitled to compare themselves with their counter parts in Bombay, Calcutta and Delhi. The Assistant Engineers and Technical Assistants employed by the Company are transferred from time to time and hence their wages have been standardised while in the case of workmen they are hardly transferred from one Branch to another. The Company submits that the demand for revision of scales and emoluments of the workmen on an All India basis is untenable and unjustified and violates the well known principles of wage fixation on the industry-*cum*-region basis. With regard to demand No. 1 the Company states that the efficiency bars which are sought to be removed are absolutely necessary in any satisfactory scheme of incremental scales. The Company further opposes abolition of the existing designations and

introduction of the three scales for all the employees. There is no justification for reclassification nor for higher start for Stenographers, Graduates and double graduates The Sale-men are not workmen within the meaning of the Industrial Dispute Act, and therefore this tribunal, according to the Company, has no jurisdiction to fix their emoluments or to regulate their conditions of service. There is no need for revision of the scales of various categories of workmen as demanded by them. M. C. Rangiah has been already in the Carpenter's grade while Marappa is only a Packer. N. Jayavelu has already been working as a Packer while M. Rangiah and Doddiah are Mazdoors and cannot be promoted as Packers. Allowances had been fixed after taking into account the nature of the duty performed by certain categories of employees and there is no justification in increasing or altering it. There is no justification in the demand for abolition of the present grades and introduction of new grades and redesignation of mechanics and service men as their existing emoluments are commensurate with the nature of their work and the responsibilty that they have to discharge Kumaran does the work of a Mazdoor and Janclans and Barber cannot be promoted as promotion is management's function in which the Union has no voice. The D.A. linked with the cost of Consumer Price Index (No 381 390 for Bangalore) and the demand for full neutralisation of D A. has no basis. As it is, the workmen are getting substantial D.A., the minimum at present being Rs. 140. The Company states that there is a maximum of D.A. which is fixed at Rs 350. Working hours are reasonable and any reduction would adversely affect the competitive business and result in higher cost The existing arrangement regarding payment of over-time is fair and just and no change is called for. Nor is there any necessity to change the Travelling Allowance prescribed by the Company. The Lunch Allowance is given according to the settlements and the workmen cannot convert it to additional emoluments. The claim for free lunch cannot be granted as it is not in existence in any establishment. The Company opposes the demand for increase of existing Casual leave of 10 days to 12 days in a year and of Privilege leave for every 11 months of service for a calendar year instead of for every 12 months as given now. The provisions regarding Sick leave are ample and generous and no revision need be made. Nor is there any satisfactory reason for altering the Maternity leave, and holidays nor for granting special leave. The Medical scheme cannot be extended to the dependents nor can the family doctors

be allowed to treat the employees and the expenses to be reimbursed in full by the Company. The appointments and promotions have always been for the management to decide and cannot be dictated by the employees Mere length of service cannot be the only factor to be taken into consideration for promotion which involves higher responsibilities. The Company provides uniforms to Attenders and Watchmen and that benefit cannot be extended to other employees. These demands according to the Company, are made by the workmen with a view to augment their emoluments. The Company prays that all the demands made by the workmen should be rejected.

9. The following issues were framed as arising out of the pleadings :—

"I Whether the wage structure and other conditions of Service should be kept in tact as prescribed by the Settlement dated 8th August 1962 between the parties in as much as there has been no material change in the circumstances warranting any modifications thereof, as alleged by the II Party Company ?

II As regards D.A., whether the Settlement dated 8th August 1952 had evolved a formula which was intended to and which took care of the fluctuations in the price index so that the employees might not suffer by reason of any rise in the cost of living index ? If so, whether the D.A. paid to the workmen at Bangalore Branch varied according to this formula ?

III If the capacity of the industry to pay is taken into consideration, whether the present total emoluments of the workmen of the Bangalore Branch are good and even generous and therefore the present demands made by the workmen are unreasonable and unjustified ?

IV Whether the Company's activities and particularly the activities of the Bangalore Branch are not labour intensive but largely depend upon the capital out-lay and managerial supervision ?

V Whether the uniform All India price structure for the Company's products could be a reasonable justification for the uniform wage scales on an All India basis ?

VI Whether the salesmean are not workmen within the meaning of the Industrial Disputes Act ? And as such, this tribunal has no jurisdiction to deal with the matter ? "

10 The main point for consideration in this case is whether the wage structure and other conditions of service should be kept intact or whether they are liable to be changed. It must be remembered that there were two settlements between the parties, one in the year 1958 and the other in the year 1962 when there has been a revision of the wage structure and other conditions of service. The Management contends that the wage structure and other conditions of service must be given a fair trial and should be long-term arrangement and should not be subjected to interference. It is settled law that the wage structure and other conditions of service once fixed by agreement between the parties or by an award should not be subject to frequent alterations and revision can only be considered if there has been a change of circumstances between the last settlement or the award and the date of the demand by the workmen. The question therefore reduces itself to as to whether there are changed circumstances which warrant the disturbance of the wage structure existing in the company. The workmen on the other hand contend that there are changed circumstances to justify their demands for the alterations of the service conditions. In support of their contentions they point out that the changes during the last few years have been such that the demands made by them have become imperative. They state that during the last few years there has been a phenomenal increase in the cost of living. Secondly that the company has been having enormous prosperity in its business ventures a prosperity that they should of necessity share with their employees, and thirdly that the conditions of service in comparable industries in this region and also those of the employees who are their counter-parts in Bombay, Delhi, Calcutta and Madras show that they have been placed very unfavourably and not on a par with them, and lastly that proper weightage has not been given to those who have put in considerable years of service in the company. Those circumstances they contend, are sufficient justification for their agitation to have a revision of their service conditions.

11. The law on the subject of revision of the wage structure and other service conditions has been laid down in a number of decision to which reference will be made later. Suffice it to say

that at present the law recognises the need for revision of the service conditions if (1) the circum-tances have changed from the last revision (2) if the financial position of the company is such that it can support the employees by giving them what are known as fair wages and (3) that the quantum of fair wages should be determined with reference to the prevailing wage structure in other comparable industries in the same region. The Supreme Court has held that the workers are entitled to what is known as the subsistance or minimum wage irrespective of the fact whether the industry is making profit or not and that no industry which is incapable of paying its employees the minimum wage should exist. If the industry is prosperous then it should at least pay the minimum of the fair wage, the exact quantum to be determined after comparing it with similar industries in the region. In the instant case there can be no doubt that this industry is a prosperous one. The annual Reports published by the Company show an ever expanding business. In the year 1964-65 it should be seen from the Balance Sheet that the company had done exceedingly well and the results were better than in any of the previous years in spite of the economic uncertainties and the turn over increased to little over 42 crores of rupees and the gross as well as the net profits have been increased by nearly 19 lakhs of rupees after making full provision for depreciation. The profits that year which were available for disposal was 96.79 lakhs. In the year 1965-66 the turnover increased to 60 crores and the net profit increased to 81.86 lakhs. In view of this prosperity of the company it is but reasonable for the workmen to agitate for a higher share of those profits which they had worked to build up. We are however not concerned in this case with the entire set up of the company but only with a very insignificant part of it which is a Branch Office at Bangalore. This branch employs only about 122 employees and any addition to their emoluments will be in the nature of a flee bite and will not affect in anyway the economy of the company, nor will it have any repercussions on their counter parts in other regions because they are in a much more favourable position than those in Bangalore. It must at the same time be mentioned that the prosperity of the company is no reason for the workmen to make extravagant demands out of all proportions to the benefits enjoyed by other workmen in other concerns because it is not proper to entrench a privileged class of workers in the region. The mere fortune of having secured a job in a prosperous company should not put the worker in a higher pedestal than those in sister concerns. The workmen are entitled

certainly in view of the financial statns of the company, to at least the minimum of a fair wage and reasonable conditions of service must be determined in comparison with other similar industries in the region.

12. One of the serious problems that confront industrial adjudication is fixation of wages and the determination of what amounts to a fair wage. The learned counsel for the I Party contended that the minimum wage is the same as the need based wage and has worked out a formula as p r Ex. W 27 according to which the need based monthly requirements of a working class family consisting of 4 consumption units at the prices ruling in the month of May 1966 in Bangalore City is said to be Rs, 412.70. The criticism levelled against it is that a worker when he starts his employment and gets the minimum of the scale of pay will not have to support four persons but only 2.25, as his family will increase only after 8 or 10 years by which time he will get normal increments and a higher salary. The diet shown in Ex. W 27 according to the management, is not the one that is usually taken even by the middle class people and no working class man is used to such a rich diet, and besides the calory content of 2.600 is much more than the average intake of a working class family. If it is calculated at 2.25 unit per family, then it will work out to about Rs. 250 and if the calory content is reduced then it can be safely said that the need-based minimum wage at the prices prevailing to-day would be about Rs. 230. That could also be arrived at by a different process. The report of the Textile Labour Enquiry Committee has gone into the question of minimum wage for textile workers and found that it will be about Rs 30 when the Consumer Price Index was about 100. The consumer price index has risen to 660 *i. e.*, about 6.6 times and in order to neutralise, it his present salary should be Rs. 30 *plus* Rs. 198 which comes to Rs. 228. Hence the minimum fair wage that a worker would be entitled to, if the industry could afford it, would be about Rs. 230 and any fixation of wage structure must take a note of this figure.

13. The wage structure as prevailing in the company is, if I may say so, extremely lopsided. The basic salary is low while the D. A. is extremely high. It looks as though the D. A. is the main-stay of the employees and not their basic salary. The D. A. given to the employees is out of all proportion to the basic salary. The original concept of D. A. was merely a temporary expedient to protect the worker from the steep rise in prices and later on it

was considered as a method of neutralising the rising cost of living. While it was meant only as an outer garment for protection against the viscititudes of market fluctuations, it has now become the entire core of workmen's earnings and it is the D. A, that sustains him and not his basic salary. In spite of the fact that the D. A. given to the employees in the industry is fairly high, there is a demand to further increase it. The learned counsel appearing for the management states that there must be a ceiling put upon this D.A. That was opposed by the I Party who contends that it is beyond the jurisdiction of this ritbunal in the absence of any specific demand or notice of change, to put a ceiling In my view the entire matter is at large before this tribunal and when some formula has to be devised for D.A., it is open to the tribunal to put a ceiling on it. It is no doubt true that the Mansgement cannot put a ceiling and change the conditions of service without giving a proper notice of change, but I do not find anything in the Industrial Dispute Act which prevents the Tribunal from putting such a ceiling even if there is no demand, when the issue of fixation of D.A. is before it. I shall therefore fix a ceiling of D.A. at Rs. 400/- per month. It was argued that it would deprive the workmen of the benefit of neutralising the rise in the cost of living if it goes beyond the present limit. But then it must be remembered that if there is such an increased rise in the cost of living there is nothing to prevent workmen from agitating for an increase in their basic salary after the period of the award has expired. In the same manner I would also put minimum basic salary at Rs. 40 - per month for an unskilled labourer as that would properly represent the minimum of fair wages taking into consideration Rs. 30/- was the minimum wage in the year 1936 or so and the minimum fair wage in the year 1967 cannot be below Rs. 40/- per month. For a middle class the usual estimation is that it must be 80 per cent more than the working class which will come to a minimum fair wage of Rs. 72 I propose to fix the minimum wage for the lowest unskilled labourer at Rs. 40 per month and for the lowest in the grade of clerks at Rs. 72 per month.

14. With regard to D.A. there has been already a linking with the cost of living. The scheme prevailing in the company is to take the consumer price index at 381 390 and to neutralise at 80 per cent for the first 100. 40 per cent for the second 100 and 20 per cent for the balance, keeping a minimum at Rs. 50 and the

variations in the percentage corresponding to every 10 point movement up and down in the index at 5 per cent, 2½ per cent and 1¼ per cent respectively and the calculation to be made at Rs. 3 per 10 points. The claim of the I party workmen is for neutralisation at the rate of 100 per cent, 50 per cent and 25 per cent with the minimum of Rs. 77 as prevailing in Bombay branch. It has been held that 100 per cent neutralisation is not desirable as it might tend to inflation. The matter of D.A. is applicable to the Central Government employees was gone into in detail by the Gajendragadkar Commission and a report has been published of the findings of that commission and they have recommended that the percentage of neutralisation for a 10 point rise in the average of the index above 175 at 90 per cent up to Rs. 103, 55 per cent up to 209 and 45 per cent up to Rs. 339 and the amount of D.A for a 10 point rise from Rs. 6 to 9. In as much as D.A is meant only to protect the employee against the rise in the cost of living, I do not see why the formula arrived at after great thought bestowed on it by the Gajendragadkar Commission should not be followed and I would therefore prescribe the D.A. at the index figure of 371-380 as follows:—

For the first 100 basic salary, 90 per cent and 5 per cent for variation at 10 points, for the second 100 at 50 per cent and variation at 2½ per cent and for the balance at 25 per cent and variation for 10 points at 1¼ per cent,

minimum being kept at Rs. 50 and the amount at Rs. 3 for 10 points rise provided that no person should get more than Rs. 400 as D.A. in any month.

15. The question still remains un-answered as to whether there are circumstances which warrant a revision of the service conditions. As stated before, the I. Party has pointed out the various circumstances to justify their demands. Those circumstances are fully borne out by the evidence produced in this case. It cannot be disputed that there has been a tremendous rise in the cost of living in Bangalore City. The consumer price index today stands somewhere near 740 while the base was only 371-380. The enormous increase in the cost of living points out the necessity for the revision of the wage structure. Secondly the company has been prospering and the demands put forth by the workmen are not such as to upset the economy of the industry. As stated before, it is a very small burden which the company may have to bear. The company is said to be one of the top ten in India and so far as its capital structure, reserves and the status

which it commands in the industrial world. it is next to none in this country In volume 12 of the Magazine called 'we in the year 1966" these observations are made about Voltas :—

> "Today Voltas is ranked as the 17th amongst 51 corporations with largest total assets in the private sector in India. Our total turnover which amounted to 8 crores in 1954 rose to 46 crores in 1964-65, whereas in 1954 our sales consisted almost entirely of imported materials and equipment. By 1964-65 about 60 per cent of our total turnover represented goods manufactured in our own country. Today we hold 187 representatives and handle over 700 different products."

The third circumstance which justified a revision is the prevailing conditions in similar industries in the region. Some of which although not so financially well off, are able to provide better emoluments to their employees. It must be remembered that a contended class of workers is itself an asset to the company which can be cashed by greater production and less industrial interruptions in production. These are, to my mind sufficient criteria for looking into and revising the service conditions of the industry. At the same time, as stated before, the workers cannot claim to be a privileged class among the workers in general and in as much as in many respects the company has treated the employees generously, I do not purpose to make any violent changes in the pattern prevailing in the industry but propose to smoothen out the rough edges wherever it is found suitable, keeping in mind the minimum salary and the maximum D. A. mentioned above.

16. I may cite a few authorities in support of the view taken by me in justifying minor changes in the service conditions of the industry and not subjecting them to any drastic variations. In 1959 (I) LLJ 431 at page 444 between the Lipton, Ltd., and their employees, the following principles have been approved by the Supreme Court for fixation of wages.—

(1) In fixing the rates of wages the capacity of the industry to pay is one of the essential circumstances to be taken into consideration except in cases of bare subsistance or minimum wage where the employer is bound to pay the same irrespective of such capacity.

(2) The capacity of the industry to pay is to be considered on an industry-*cum* region basis after taking a fair cross section of the industry.

(3) The capacity of the industry to pay should take into account the elasticity of the demand for the products, the possibility of the tightening up the organisation and the possibility of the increase in the efficiency of the lowest paid workers. No doubt, against the ultimate background that burden of the increased rate should not be such as to drive the employer out of business."

In 1958 (I) LLJ 1 at page 6, the following principles have been enunciated.—

"Toough social and economic justice is the ultimate ideal of indu-trial adjudication, its immediate objective in an industrial dispute as to the wage structure is to settle the dispute by constituting such a wage structure as would do justice to the interest of both labour and capital, would establish harmony between them and lead to their genuine and whole-hearted co operation in the task of productions. It is obvious that co-operation between capital and labour would lead to more production and that naturally helps national economy and progress. In achieving this immediate objective, indus rial adjudication takes into account several principles such as, for instance, the principle of comparable wages, productivity of the trade or industry. cost of living and ability of the industry to pay. The application of these and relevant principles leads to the constitution of different categories of wage structures."

The last decision is the one reported in 1962 (II) LLJ 744 derided by the Supreme Court of India in the dispute between the French Motor Car Co.. Ltd, and their workmen. Their Lordships state at page 750 as follows.—

"Generally adjustments are granted when scales of wages are fixed for the first time. But there is nothing in law to prevent the tribunal from granting adjustments even in cases where previously pay scales were in existence, but that has to be done sparingly taking into consideration the facts and circumstances of each case. The usual reason for granting adjustment even where wage scales were formerly in existence is that the increments provided in the former wage scales were particularly low and therefore just ce required that adjustment should be granted a second time."

17. For the reasons stated above and in view of the law on the subject I propose to affect some minor changes in the service conditions of the industry and for that purpose I shall take into consideration the demands, one by one in seriatum.

18. One of the arguments advanced by the learned counsel for the management is that there have been recent settlements between the management and the workers as per Exhibits W38 and M25 in 1958 and in 1961 respectively and that it is too early to affect another revision. Apart from there being change of circumstances since 1961 owing to the phenominal increase in the cost of living, it must be stated that the two settlements are more in the nature of a demand and an acceptance or refusal by the management and not an agreement between the parties. It would be noticed in both the settlements that the management simply said "Not accepted" which means that in respect of matters not covered by acceptance by the management there has been no agreement between the parties and hence there could not have been any settlement with regard to those matters. Besides, this is the first time that the matters have come up for adjudication and as is well known, the bargaining powers of the management and the workers are not always well balanced. In my view therefore those two settlements are no bar to further revision of the service conditions.

19 The company is unique in its character as there is no comparable concern within this region dealing in similar products with the same capital structure and earning the same profits and having the same status in the industrial life of the country. As a matter of fact in the pamphlet "100 largest companies in the private sector in India" the following observations are made:—

> "It was also indicated that Voltas had shown a remarkable growth rate as its sales were relatively high in relation to its paid up capital and assets. In 1964 65 Voltas jumped by two places in rank by sales as there was substantial improvement in its sale figure from 32·42 crores in 1963–64 to 42.23 crores in 1964–65."

It ranks ninth among the top 10 companies in India, TISCO being the first and Hindustan Motors, the last among the 10. All India companies with which it can compare favourably so far as the paid up capital and assets are concerned, are ESSO, Dunlop Rubber Co, and Hindustan Lever. But those companies do not deal with the same products as Voltas and therefore cannot be

called comparable industrties. The Management however, has adduced evidence of some industries which can be said to be comparable to Voltas. It would be remembered that Voltas so far as its Bangalore Branch is concerned, is not a manufacturing concern but it is only a distributing Agency It is by no means labour intensive and most of them who are employed are white-collered employees and not many of them are manual labourers. None of these are engaged in any productive activities which increases the sum total of the wealth of the country. The management have adduced evidence of certain similar concerns although their paid up capital and assets are no where near those of Voltas. These Companies are also distributing Agents in Bangalore and their service conditions can be compared with those of Voltas. The three comparable concerns which are financially not in the same grade as Voltas but deal in business similar to that of Voltas are Addison Company, Batliboy & Co., and Parry & Co. If at all the service conditions in Voltas should be no worse than those three because of the greater resources and of the larger profits it has been making. At any rate, it cannot be denied that the Voltas employees are entitled at least to those service conditions prevailing in those three industries which are also engaged in distribution of either machinery or pharmaceuticals. The management have examined officials from these three industries and they have given the service conditions that prevailed there. In fixing the service conditions of Voltas those prevailing in these industries may be taken into account.

20. My answer to the issues framed in view of what is stated above, is as follows :—

(1) Wage Structure and other conditions of service require minor alterations as mentioned in the following award.

(2) The D. A. paid to the workmen at Bangalore Branch should be varied according to the formula given in the award keeping the maximum at Rs. 400 which is the maximum prevailing in the Madras Branch of the company and which is also settled between the parties of the Bombay Branch pending adjudication

(3) The present total emoluments of the workmen of the Bangalore Branch are good and even generous although they require slight modifications, with regard to the minimum wages and other service conditions.

(4) The activities of the Bangalore Branch are not labour intensive but depend upon capital outlay, managerial, supervision and co-operation of the workmen.

(5) It is not desirable to have uniform wage scale on an All India basis and the Supreme Court has consistently held that wages should be fixed on industry-*cum*-region basis and not on an All India basis. It is true that some employees of the Company *viz.*, Engineers and technicians have all an uniform wage scale but that is because they are liable to be transferred from one place to another. But the policy of the company so far has been not to transfer the workmen from one region to another and therefore the question of having a uniform wage scale on an All India basis is neither justifiable nor feasible.

(6) The question as to whether Salesmen of the comany come within the meaning of 'workmen' under the Industrial Disputes Act, has been the subject matter of some contraversy between the parties.

It will be noticed from the appointment order of salesmen and from other documents produced that the main business of the Salesmen of the company is canvassing for orders and clerical, work that they undertake is only of an incidental nature. I would refer to the appointment order of M. A. Thomas as per Ex. M6 which says that he is authorised to canvass for maintenance service for standard units and self-containing air conditioners on certain sales commission. In view of the appointment order it is idle for the salesmen to contend that they are 'workmen'. The Supreme Court has held that whether a person is a workman or not although he is designated as Salesman, should be spelt out from the circumstances of each case. If his work consists largely in canvassing orders for the company, he cannot be considered as workman although incidentally he may have to do some clerical work. Besides these salesmen some of whom have been examined in this tribunal, have given evidence to the effect that they receive a large sum of money as commission. Thomas who has been examined as W.W.8, states that he reports to office daily, attends to office and telephone calls, goes out and meets the clients and writes reports to the office. He received as commission for the period between 1st September 1965 to 31st August 1966 a sum of Rs. 5,220 which shows that a large portion of his earnings is by way of commission and not as wages. The authorities also show that in those circumstances they cannot be

considered as workmen and not be entitled to the benifits under the Industrial Disputes Act. In 1961 (II) LLJ 94. at page 97 the following observations are made:—

> "A Workman" is defined as any person employed in any industry to do any skilled or unskilled manual or clerical work for hire or reward. Therefore, doing manual or clerical work was necessary before a person could be called a workman. It was consistently held that the designation of the employee was not of a great moment and what was of importance was the nature of his duties. If the nature of the duties is manual or clerical, then the person must be held to be a workman. On the other hand, if manual or clerical work is only a small part of the duties of the person concerned and incidental to his main work which is not manual or clerical, then such a person would not be a workman."

The duties of the Salesmen in the company are mainly to book orders and reporting to the company is only incidental to the main work to be performed by the salesmen. In my view they cannot be considered as workmen and this court has no jurisdiction to fix their service conditions and that is my finding on Issue No. 6.

21. In view of what is stated above and bearing in mind the minimum wage and the maximum D.A and comparing the wage scales and other service conditions prevailing in Addison & Co., Parry & Co, and Binny & Co., I make the following award in respect of the various demands raised by the I Party Union.

I. Demand No. 1. Scales and Grades—

There is no reason to disturb the three grades of Clerks and one Selection Grade as settled in 1961 Settlement.

Scale (1) Which is for Telephone Operators-cum-Receptionists Filing and Despatching Clerks and existing Non-matriculates doing clerical work, is fixed at Rs. 75-5-100-7-½-150-EB-10-200.

Scale (2) for Clerks, Typists and Stenographers:—Rs. 90-5-150-7½-200-10-250 EB-15-300.

(Stenographers will start on a basic salary of Rs. 110 per month in that grade).

Scale (3) For Clerks, Typists and Stenographers:—Rs. 150-10-200-15-300-EB 20 400.

Selection Grade:—Rs. 250 20-300-EB-25-500.

(*a*) The demand for re-designation is, in my view not justified and the same designation will continue in the absence of proper reasons for changing them

(*b*) The question of promotion is purely managerial function and the demand of providing 15 per cent of the existing employees in scale (3) cannot be granted.

(*c*) For the reasons above, promotions to scale (2) is left to the management and no directions could be given. Similarly in the case of demand No 1 (d).

(*e*) As already answered, Stenographers will start on Rs. 110 and Rs. 150 in Scales 2 and 3 respectively.

(*f*) There is no separate scale for Draftsmen and it is left to the management to fit them into any scale.

(*g*) Salemen are not workmen and therefore their case cannot be considered by this tribunal.

(*h*) No particular reason is given as to why increment should be given to Graduates and Double Graduates as demanded. But under the Settlement they are entitled to two increments if appointed in the lowest clerical grade.

2. *Mechanics*:—

Scale (1) Rs. 75-5-100-7½-150-EB-10-200.

Scale (2) Rs. 90-5-150-7½-200-10-250.

Scale (3) Rs. 110-5-200-7½-250-10-300 (For Erectors)

3. There is no separate scale for Daftaries.

4. Drivers.—Rs. 60-5-100-7½-150-10-200.

5. Carpenters:—Same as scale (1) and scale (2) for Mechanics.

6. Packers
7. Mazdoors
8. Watchmen
9. Attenders

} Rs. 45-3-60-5-100

So far as fixing these persons mentioned in Notes to demand (1) is concerned, that is matter left to the management and no

directions can be given. It may however be stated that according to the Administrative Assistant Shenkumni, M. W. 11, N. C. Rangaiah has been already placed in the Carpenter's grade while Mariappa is still a Packer, Jayavelu has been promoted already as a Packer While Rangiah, Ganesh and Doddiah are still Mazdoors. No reason is shown as to why there should be an enhancement in the Cycle and other Allowances already settled under the old agreement Ex M 25. I do not propose therefore to make any alterations nor is there any case made out for modifications in the allowances.

Demand No. 10.—The next demand is with respect to re-designation of Mechanics, Servicemen and Erectors. But there seems to be no rational behind this demand except perhaps a touch of snobbery. The persons referred to are actually doing Mechanics' job and there is no reason why they should be called anything else. There is no separate grade for Erectors or Service Representatives nor for Helpers. They will be fitted into the grades mentioned above for Mechanics. In the absence of any need for a fresh grade, the demand made under I (i) is refused. So also the demand under I (ii) as there is no separate grade for Helpers and they have to be fitted in the other grades mentioned above. They may be done by taking their present salary. length of service and with the consultation, if possible, with the Union.

22. I do not propose to reclassify the employees nor is there any case made out for such reclassification. But in view of the fact that the grades have been revised, some weightage should be given to the employees who have put in some length of service and who would have reached the scale proposed to be given now. In order that there should not be any disadvantage and that they should not be equated to those who have put in a lesser number of years of service. I direct that those who have put in 5 years of service would be entitled to one increment and those who have put in 10 years of service, to two increments. If their wages fall in between the two slabs, they shall be stepped up. With these observations *Demand No.* 2 is disposed of.

Demand No. 3.—The D. A. payable to the employees has already been set out above and for the reasons stated therein, the D. A. will be payable as follows :—

> When the Consumer Price index for Bangalore is in the bracket of 381-390, for the first 100 neutralisation at 90 percent and variation at 5 per cent for every 10 points. For the second 100 neutralisation at 45

per cent and variation of 2½ per cent at every 10 points and for the balance neutralisation at 22½ per cent at variation of 1½ per cent for every 10 points, the minimum D. A. being Rs. 50 and the maximum D. A being Rs. 400 and the variation to be calculated at Rs. 8 for every 10 points. The index to be used for determining the bracket, will be the one established for the previous month, and done declared by the Government.

Demand No. 4 —Working Hours.

The demand for 5 days a week, Saturdays and Sundays being weekly holidays, is not prevalent in any of the industries in the region and therefore cannot be granted. The working hours for the Staff is as it is really low as they work only for 36½ hours per week and no case is made for reducing it. The Service Stations and Godown working hours are 48 hours per week and that may require some reducti n as the other industries in the region have lesser working hours for similar employees.

As I have said before, when comparing this industry with Parry & Co., Best & Co., Addison & Co., and Batliboy & Co., the Addison Co., works from 8 A.M. to 12-30 P.M. and 1-30 to 5-30 P. M. a week on week days and 8 A. M. to 1 P. M. on Saturdays, totalling to 47½ hours per week, Parry & Co., works from 9-45 A.M. to 5-30 P.M with a break of ½ hour for lunch on week days and between 9-45 A.M. to 1-30 P.M. on Saturdays which comes to 40 working hours per week, In Batliboy & Co, the working hours are from 9-30 A.M. to 6 P.M. with one hour's break on week days and 9 A.M. to 1 P.M on Saturdays which works out to 42½ hours per week. Best & Co. works between 10 A M. to 5 P.M. with lunch break of one hour and on Saturdays between 10 A.M. and 2 P M., which comes to 34 hours per week. It seems to me therefore that compared to other industries the working hours for the Godown and Service Station workers are long and are reduced from 48 hours per week to 46 hours per week. The time during which they should work may be fixed by the management in consultation with the Union, if possible.

Demand No. 5—Over-time Allowance.

The practice prevailing with regard to over-time is that they are paid double if the total work exceeds 48 hours per week, the

salary being divided by 200 hours. The demand now made is that every requisition for over-time work beyond the normal working hours should be paid at double the normal rate. That appears to be the practice in other similar comparable industries. In Addison & Co., over time is calculated at double the normal wages and the demand for double the wages for over-time seems to me to be reasonable and should be accepted But there is no necessity to give compensatory off as demanded by the workmen nor is there any necessity to alter the calculation of the over-time wages which is prevailing at present.

Demands Nos. 5 (d), (6), 11 (5) (a), 12, 13 and 14 have been settled under a settlement between the All India Voltas and Vakart Employees' Federation, Bombay, and the management of Voltas, Ltd., and the award in respect of these demands will be as per the settlement, a copy of which is annexed to this Award.

Demands Nos. 7 and 8.—No company in this region is giving free lunch to its employees and the demand for free lunch cannot be granted. Nor are they entitled to higher lunch allowance as the present allowance paid to the employees seems to be reasonable and the employees cannot be expected to make profit out of the lunch allowance. The H.M.T. gives only Re. 1 for lunch, Bathiboy Rs. 1-50. Voltas also give Rs. 1-50 to the Clerical Staff and Re. 1 for the workers which need not be disturbed.

Demand No 11.—The leave granted by the Company seems to be very reasonable except for some minor changes The privilege leave is for 30 days for staff as well as for Service Station and Godown workers, from 4th year onwards and three weeks for those who have put in less than 3 years service. That compares favourably with Addison & Co., who give only 14 days and Parry & Co., which gives only 12 days and for more than 5 years service, 18 days. The General Holidays are 18 for Office Staff and only 7 days for Godown and Service Station employees. The workers in the Public Sector get between 12 and 13 days as General holidays while Parry & Co., gives 3 General Holidays and the Addisons have 14 paid General Holidays which includes the National holidays Bathiboy have 15 days General holidays. The General Holidays granted to the workers in the Godown and Service Station when compared with other industries and also to other employees in the same industry is low and the General Holidays for the Godown and Service Station is increased to 10 days while keeping that for the staff at 18 days intact. The Casual leave to the employees

of the Voltas is 10 days per annum while in Batliboy it is 7 days and in Addisson it is 12 days. Therefore there is no need to increase the Casual leave nor can the casual leave be granted without prior permission except in cases of emergency. The employees should not be allowed to avail more then 3 days casual leave at a time. The Sick leave and other leave facilities given by Voltas compare favourably with the other industries in the region and require no alteration. Therefore the demand made in respect of other kinds of leave is rejected.

Demand No. 15.—The question of appointment and promotion are managerial functions and I do not propose to lay down any directions. It is hoped however that promotion will be on the seniority-*cum*-merit basis and any particular grievance of an individual employee could always be agitated if it is based upon discrimination or unfair labour practice. Demand No. 15 is therefore rejected.

Demand No. 16.—The last demand *i. e.*, demand No. 16 is in respect of uniforms. The company provides 3 sets of uniforms to Attenders and Watchmen per year and two turbans to the watchmen in a year and one set of woollen uniform to watchmen once in 4 years. Uniforms are generally given to those workmen whose clothes get soiled by virtue of their occupation. Taking that circumstance into consideration I do not see why the other workmen whose clothes are liable to get soiled should not also be provided with uniforms. The Godown Mazloors and Packers are also entitled to 3 sets of uniforms. The Drivers are also entitled to 2 sets of uniforms. There is no practice of giving shoes in any similar industries in the region and that demand cannot be accepted.

23. In the result, the Reference is allowed in part and the award will be in the manner set herein above. The next question for consideration is as to when the award is to become effective. Normally it should be from the date when the award becomes enforceable and there is no reason to depart from the normal practice. It must also be remembered that the previous agreement between the parties was very recent in the year 1961 which lasted for 3 years up to 1964. Besides some of the demands made by the workmen are to say the least, very extravagant and the management is justified in refusing some of these demands. As the award will become effective only during the course of about end of this year and in order to enable the industry to systametise the directions

given in the award, I fix the date on which the award becomes effective as 1st January 1968. The new grades and wage structure will come into effect from 1st January 1968 and any employee who is not fitted into the grade mentioned above will be fitted in by the management taking their length of service and their present emoluments after consultation, if possible, with the Union. I may mention that the industries with which I have compared, are in a much lower financial position than the Voltas which is so to say, an unique company in this region having no comparable industries. The Voltas must therefore give a lead to the other industries in the region and with that view the terms that I have settled, are more favourable than those prevailing in those concerns. It is to be hoped that the workers of the I Party Union will try the scheme for some time before starting any other agitation with their charter of demands, and co-operate with the Management in attaining greater prosperity in future.

24. As each party has succeeded in part, I direct each party to bear its own costs.

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore-2.

ANNEXURE. "A".

GOVERNMENT OF MYSORE.

Bangalore, dated the 25th November 1965.

ORDER.

WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the workmen and the management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1, on the points noted below;

NOW THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Industrial Tribunal at Bangalore.

POINTS OF DISPUTE.

Demand No. I—Scales and Grades.

The existing Grades and Scales should be abolished and the following Scales and Grades should be introduced with effect from 1st October 1964.—

1. Office Assistant, Telephone Operators-*cum*-Receptionists, Stenographers, Filing Assistants.	Scale I—100-8-140-12-224-15-314. „ II—200-15-260-20-400 „ III—300-20-340-25-440-30-590.

Notes :—

(*a*) The present Clerks and clerk-*cum*-typists should be redesignated as Office Assistants, and Despatch/Filing Clerks as Filing Assistants.

(*b*) 15 per cent of the existing employees falling under Scales I to III should be given scale III strictly according to seniority.

(*c*) 30 per cent of the existing employees falling under Scales I to III should be given scale II strictly according to seniority.

(*d*) The rest of the employees falling under Scales I to should be put in Scale I.

(*e*) Stenographers should be started on a basic salary of Rs. 140 per momh in scale—I.

(*f*) Draftsmen should be started in scale II.

(*g*) Salesmen should be started in scale II.

(*h*) Graduates and double-graduates should be given two and four increments in their respective grades.

2.	Technical Assistants	...	300–20–340–25–440–30–590.
3.	Daphtaries	...	75– –10 –8–1 , –10–200
4.	Drivers	...	80–5–1 0-8–140–10–200
5.	Carpenters	...	95–5–115–7–143–8–207
6.	Packers	...	65–4–81–5–101–6–125
7.	Mazdoors	...	60–3–65–4–85–5–115
8.	Watchmen	...	55–3–64–80–4–1.0
9.	Attenders	...	60 3–65–4–85–5–115

Notes:—

(*a*) Messrs. N C. Rangiah and C. Marappa should be placed in Carpenters' Grade.

(*b*) M/s. N. Jayavelu, M. Rangiah, B. K. Ganesha and D. Doddiah should be placed in packers' Grade.

(c) Attenders/Mazdoors/Packers going out on cycles should be paid an allowance of Rs. 15 per month.

(*d*) Daphtaries/Attenders working on duplicating machine should be paid an allowance of Rs. 15 per month.

(*e*) Employees relieving Telephone Operator-*cum*-Receptionist should be paid an allowance of Rs. 15 per month.

(*f*) Attenders/Mazdoors/Packers handling cash should be paid an allowance of Rs. 15 per month.

(*g*) An allowance of Rs. 15 per month should be paid to drivers for washing cars/vans

10. Service Representatives/Erectors.

(*a*) The Machanics/Servicemen drawing wages in the existing scale 2 should be redesignated as Service Representatives and given the following scale with effect from 1st October 1964 :—

Rs. 150–10–190–15–265–20–345.

(*b*) The employees drawing wages in the existing Scale 3 should be redesignated as Erectors and given the following scales with effect from 1st October 1964.

250–20–330–25–455–30–515.

11. (a) Mr. M. S. Kumaran working as Helper should designated as Helper and given the scale of Rs. 65-4-81-5-101-6-125 with effect from 1st October 1964.

(b) The existing vacancies of Helpers should be filled in M/s. E. Jani claus and A. Sarjar and given the above scale of—

Rs. 65-4-81-101-6-125.

DEMAND No. II

Reclassification and Adjustment.

(a) All employees covered under Demand No. I should given increments in their respective grades as under—

3 to 5 years of service as on 1st October 1964 ... 1 increment
6 to 10 years of service as on do ... 2 do
Above 10 years as on 1st October 1964 ... 3 do

(b) While reclassifying all employees in the above demanded scales and grades, the Union should be consulted.

(c) After reclassification, existing wages of employees should be brought up to the minimum in the above demanded scales and then given increments.

(d) After adjustments if the wages of any employees fall in between two slabs, he/she should be stepped up.

Demand No. III

Dearness Allowance —The existing scheme of Dearness Allowance should be revised on the following lines with effect from 1st October 1961 and applied to all employees working under Bangalore Branch.—

When the Consumer Price Index Number for Bangalore is in the Bracket of 581-330

For the 1st 100 basic wages 150%	Variation 5% for every 10 points
For the 2nd 100 basic wages 75%	Variation 2½% for every 10 points
For the balance Basic wages 87½%	Variation 1¼% for every 10 points
Minimum D. A. Rs. 87	Variation Rs. 3 for every 10 points.

Demand No. IV

Working Hours.—The following working hours should be applied to all employees working under Bangalore Branch.

Five day a week saturdays and Sundays should be weekly holidays.—From 9-15 a. m. to 1-00 p. m. and 1-45 p. m. to 5-00 p.m. (35 hours a week).

Demand No. V

Overtime.—(a) Whenevar any employee is required to work overtime beyond normal working hours he/she should be paid overtime at double the normal rate.

(b) If any employee is called upon to work overtime on holidays and/or weekly offs, he/she should be paid overtime at double the normal rate and also given compensatory off.

(c) While calculating Overtime wages, the total emoluments of an employee should be divided by his/her normal working hours in a month to arrive at the rate per hour.

(d) Whenever drivers are called upon to go out of station, they should be paid overtime in excess of their normal working hours at the above rate.

Demand No. VI

Travelling Allowance—The following travelling batta and class of travel should be paid to employees when detailed for out-station duties.—

	Daily Batta	Class of Travel	Incidental and Conveyance at respective places
1	2	3	4
Employees earning monthly basic salary of Rs. 300 and above.	Full day Rs. 16 Half day Rs. 8	I	Actuals
Employees earning basic salary of Rs. 150 to Rs. 299 per month.	Full day Rs. 13 Half day Rs. 6.50	I	Actuals

1	2	3	4
Employees earning basic salary of Rs. 75 to Rs. 149 per month.	Full day Rs. 11 Half day Rs. 5.50	I	Actuals
Employees earning basic salary up to Rs. 74 P.M.	Full day Rs. 9 Half day Rs. 4.50	Day II Class. Night I Class.	Actuals

Full batta should be paid for every 24 hours from starting time and for any balance hours on the day of return, batta paid as follows :—

Half a day's batta if balance is more than 6 hours but less than 12 hours, full batta if balance is more than 12 hours.

Demand No. VII

Local Bhatta/Luch Allowance.—Employees detained for out door duty within Bangalore Corporation limits and are not able to come back to their place of duty by lunch time, should be paid a lunch allowance of

Rs. 2.50 per day ... for clerical, technical and service staff.

Rs. 2.00 per day ... other

Demand No. VIII

Free Lunch.—Arrangements should be made by the Company to provide decent mid-day meals to all employees at its cost.

Demand No. IX

Leave.—The existing leave rules should be abolished and the following procedure introduced.

1. *Casual Leave.*—12 days casual leave in a year with full pay should be granted to all employees. This leave should be allowed to be prefixed and/or suffixed to weekly offs and/or holidays; and if desired converted into and/or combined with any other leave.

No reason or prior permission should be demanded for casual leave. Employees should be allowed to avail of 3 days casual leave at a time.

2. *Privilege Leave.*—30 days Privilege leave for every 11 months of service with a right to accumulate up to 90 days should be granted to all employees. This leave should be allowed to be prefixed and/or suffixed to weekly offs and/or holidays; and if desired converted into and/or combined with any other leave. This leave must be allowed to be availed of for any number of days with a minimum of 5 days at a time.

An employee should be given an option of cashing his/her privilege leave at the time of discharge/resignation/retirement.

3 *Sick Leave.*—30 days sick leave on full pay per year should be granted to all employees with a right to accumulate up to 180 days. For this purpose, this demand should come into force with retrospective effect from 1st January 1958. This leave should be allowed to be combined with or converted into any other leave and also to be prefixed and/or suffixed to weekly offs and/or holidays.

56 days half pay sick leave in a year prevailing at present should continue.

4. *Maternity Leave*—The existing procedure of granting 12 weeks maternity leave with full wages should continue.

5 *Special Leave.*—(a) 12 days Special Leave with full wages should be granted to three delegates from the Union to attend the meetings of the All India Voltas and Volkart Employees Federation. This leave should be allowed to be prefixed and/or suffixed to Weekly off and/or holidays.

(b) If an employee meets with an accident while on duty, he should be granted special leave with full wages up to the period he is able to resume duty.

Demand No. X

Holidays.—The existing 18 holidays in a year should be made applicable to all employees working under Bangalore Branch.

Demand No. XI.

Medical Scheme.—The present scheme should continue, but the benefit should be extended to employees families and dependents as defined in the Voltas, Ltd. Provident Fund Rules

Employees shall have the option to get treatment from any doctor of his her own choice who shall be a Registered Medical Practitioner. The bill issued by such a doctor should be met in full by the Company.

Demand No. XII

Enlarged Medical Benefits Scheme.—The sub-clause 3 (d and 3 (e) of the Medical Benefits Scheme introduced on 1st January 1960 by the Company should be abolished and the following inserted in their place.

3 (d) Reimbursement to any one employee relating to a period of any one time shall not exceed 50 per cent of the Medical expenses incurred.

3 (e) The reimbursement to any one employee during a calendar year shall not exceed Rs. 150. Arrangement should be made to reserve 3 beds in Hospital for employees who need hospitalisation.

Demand No. XIII

Superannuation.—All employees should be superannuated at the age of 60 years.

Demand No. XIV

Gratuity.—One month's salary including D. A for every year of service should be paid to all employees in cases of death, mental or physical disability to continue in service, resignation, termination of service, retirement or leaving employment for any reason whatsoever. The gratuity should be calculated on the basis of last drawn salary including D A.

Settlement for gratuity should be unqualified.

Demand No. XV

Appointment and Promotion.—No direct appointment should be made except to the lowest scale All vacancies in the higher grades and also in the Supervisory posts should be filled in from the existing staff according to seniority.

Demand No. XVI

Uniforms.—Four pairs of Service dresses should be given to each of the service representatives and erectors, every year.

Godown Mazdoors and, Packers should be provided with 3 pants and 3 shirts per year per head.

Helpers should be given four pairs of service dresses each.

Watchmen, Attenders, Drivers, Mazdoors, Packers and Carpenters should be provided with one pair of shoes every year, each.

[No. PLM 486 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Labour and Municipal
Administration Dept.

"True Copy"

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ANNEXURE 'B'

MEMORANDUM OF SETTLEMENT.

As a result of the discussions held between

The Management of Voltas Limited (hereinafter referred to as 'The Company') represented by Mr. S. C. Bakshi and Mr. A. A. Gajendragadkar

and

The All India Voltas and Volkart Employees Federation (hereinafter referred to as 'The Federation') represented by Mr. F. A. P. D'Souza, Mr. N. R. Sen and Mr. C. P. N. Nair.

The Charter of Demands dated 3rd August 1965 submitted by the General Secretary of the Federation and covering the concerned employees of the Company's Establishments all over India, has been settled on the following terms:—

1 *Demand No.* 1.—*Age of Superannuation.*—It was agreed by the Company that with effect from the 15th of December 1965, the age of superannuation of the employees would be raised from 58 years (as at present) to 60 years. Accordingly, the six month's notice of superannuation given to the employees will henceforth be given on their attaining the age of 59½ years.

2 *Demand No.* 2.—*Gratuity.*—There will be no improvement or amendment of the existing terms and conditions relating to the payment of 'gratuity' by the Company.

3 *Demand No.* 3.—*Medical Benefits*—The following improvements in the provisions made in Clauses 3(*d*) and (*e*) of the existing Medical Scheme will come into effect from 15th December 1965:

3(*d*) Reimbursement to an employee relative to a period of illness at any one time on all counts shall not exceed 50 per cent of the medical expenses incurred or Rs. 50 (rupees fifty) whichever is lower.

3(*e*) The maximum reimbursement to any one employee during one calendar year would be Rs. 75 (Rupees seventy-five).

4 *Demand Nos.* 4, 5, 6 *and* 7—*Travelling Bhatta, Leave, Five-day week and Free Lunch.*—(*a*) These matters, though stated in the Federation's Charter of Demands, were not discussed between the parties as the items did not fall within the scope of the subjects covered by the terms of recognition of the Federation.

(*b*) As regards the request of the Federation to grant Special Leave to the delegates from constituent unions to attend the meetings of the Federation, the Company made no commitments at present but agreed to discuss the matter further with the Federation.

5 It was agreed that this settlement will come into effect as from 15th of December 1965 and shall remain in force for a period of two years from that date. It will also continue thereafter until the expiry of two months' written notice of termination that may be given by either party.

Signed at Bombay this 16*th day of December* 1965.

For and on behalf of the
ALL INDIA VOLTAS & VOLKART EMPLOYEES FEDERATION
(Sd.) C. P. N. Nair,
Asst. Secretary.

For and on behalf of
VOLTAS LIMITED
(Sd). S. C. Bakshi,
Manager,
Central Personnel Dept.

(Copy)

(Sd.) K. S. Subrahmanya
Party I

(Sd.) V. S. Sankunni,
Party II

"TRUE COPY"

V. C. Ramachandran,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

(On Rs. 3 Stamp Paper)

MEMORANDUM OF SETTLEMENT

(Under Section 18(1) of the Industrial Disputes Act, 1947.)

Names of Parties :

(1) Voltas Limited, 19 Graham Road, Ballard Estate, Bombay-1 (hereinafter referred to as the 'Company')

(2) The All India Voltas and Volkart Employees Federation, 19, Graham Road, Ballard Estate, Bombay (hereinafter referred to as 'The Federation').

Representing the Company :

1. Mr. S. C. Bakhshi, Departmental Manager, Central Personnel Department, Voltas Ltd., Bombay.
2. Mr. A. A. Gajendragadkar, Industrial Relations Officer-Voltas Limited, Bombay.

Representing Workmen :

1. Mr. F. A. P. D'Souza, President
2. Mr. N. R. Sen, General Secretary
3. Mr. C. P. N. Nair, Asstt. Secretary

} The All India Voltas & Volkart Employees Federation.

Short Recital of the Case :—

The All India Voltas and Volkart Employees Federation submitted a Charter of Demands on 3rd August 1965 for various items amongst which were travelling bhatta and class of travel. The overtime for drivers sent to jobs away from their headquarters was also discussed by mutual consent of the parties. After discussions, the following settlement has been arrived at :—

TERMS OF SETTLEMENT

1 *Travelling Bhatta & Class of Travel*

It is hereby agreed that the following schedule of Daily Bhatta an

Class of Travel will be introduced with effect from 1st January 1967 :—

Basic Salary	Normal Bhatta	Bhatta for Metropolitan towns.	Class of travel	Incidentals
Up to Rs. 74.	Rs. 6.00	Rs. 7.50	II (If the particular train does not have Class II, then by Class II)	At actuals
Rs. 75 to Rs. 149	Rs. 8-50.	Rs. 10.50	II by day I by night. (If night travel is involved in the same journey or if the particular train does not have Class II, then Class I by day also)	do
Rs. 150 to Rs. 999	Rs. 10.50	Rs. 12.50	I	do
Rs. 300 & above	Rs. 12.50	Rs. 15.00	I	do
Salesmen	Rs. 12.50	Rs. 15.00	I	

NOTE :—(1) Bhatta for Metropolitan towns will be payable to employees deputed to work outside their headquarters at Bombay, Calcutta, Madras, Delhi, Bangalore, Secunderabad, Ahmedabad.

(2) Brach Managements/Divisional/Departmental Heads will have the discretion to permit Bhatta at the Metropolitan Towns rates for other places also if sufficient justification is found which would be determined from case to case.

(3) If any individual employee is entitled to a higher bhatta or higher class of travel at present, he will continue to get the same but new employees in categories concerned will be governed by the Bhatta Schedule as above.

II *Overtime for Drivers sent to jobs away from their Head-quarters*:—

1. If a driver is sent on a job away from his headquarters and is asked to work beyond his normal periods of work, he will be paid overtime at the following rate:—

(*a*) If the overtime goes beyond the normal total duty hours per day/per week but within the limit of 9 hours per day or 48 hours per week, her would be paid overtime at single rate.

(*b*) If a driver is asked to work overtime beyond 9 hours on any day or 48 hours in any week, the overtime would be at the rate applicable to his establishment.

2. He will also be paid overtime for work before 6 a.m. in the morning and after 8 p.m. at night.

3. If the driver is completely off duty for more then 2 hours such period will not be counted as hours of duty and will be treated as recess.

The Federation agrees to direct its constituent Unions to withdraw any dispute on the above two subjects pending before any tribunal, Conciliation Officer or any other authority. These disputes will be treated as having been settled in terms of this settlement. This Settlement will supersede all the existing settlement on these points at the Branches/Offices of the Company. Accordingly, negotiations at any of the Branches on the above two subjects will be discontinued.

It is agreed that this settlement will come into effect as from the 1st of January 1967. It will remain in force for a perioed of two years from this date (27th April 1967) and will continu thereafter

until the expiry of two months' written notice of termination that may be given by either party.

Signed at Bombay this 27th day of April 1967.

VOLTAS LIMITED

(Sd). A. A. Gajendragadkar.
Industrial Relations Officer.

For the ALL INDIA VOLTAS & VOLKART EMPLOYEES FEDERATION,

(Sd). N. R. Sen,
General Secretary.

Witnesses: (Sd) Robin Roy
(Sd) R. K. Mathur.

Witnesses: (1) (Sd) A. C. Raghavan
(2) (Sd). R. Ramamoorthy.

(Copy)

Sd.: K. Sobrahmanya,
Party I.

(Sd.) V. S. Sankunni,
Party II.

"TRUE COPY"

V. C. Ramachandran,

Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ORDER

Bangalore dated 23rd October 1967.

S. O. 2099.—WHEREAS by State Government Order No. PLM 486 LLD 65, dated 25th November 1965 the Industrial Dispute between the Workmen and the Management of Voltas, Ltd., 21, Kasturba Road, Bangalore-1. was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS this reference was transferred to A. I. Tribunal, Bangalore by G. O. No. LMA 595 LLE 66. dated 17th December 1966.

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. PLM 486 LLD 65.]

By Order and in the name of the Governor of Mysore,

1355 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen an the Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 783/67-68, dated 23rd October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B. ... Presiding Officer.

Reference No. 84 of 1966

Workmen represented by the Secretary, S. K. Tile Workers' Union, Bolar, Mangalore ... *I Party.*

Vs

The Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1 ... *II Party.*

Reference.

Government Order No. LMA 245 LLD 66, dated 28th June 1966.

AWARD

The Government of Mysore being of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Joe Tile Works, Mangalore, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 245 LLD 66, dated 28th June

1966, setting out the following points of dispute for adjudication :—

"Whether the Management of M/s. Joe Tile Works, Haige Bazaar, Mangalore-1, are justified in terminating the services of Smt. Vamani Hengsu on or about 22nd January 1966 and if not justified to what relief including reinstatement, back wages continuity of service, she is entitled to ?"

2. The cause of the aggrieved worker Smt. Vamani has been sponsored by the S. K. Tile Workers' Union, Mangalore which is a registered Trade Union. This Union as representing the workmen is the first party and the management of M/s. Joe Tile Works, Mangalore is the second party in this proceeding.

3. In response to the notice issued by the Court the parties have submitted their respective statements. On the basis of these pleadings some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet)

4. On 17th October 1967 when the case came on for hearing at Mangalore Camp. both the parties appeared through their representatives and filed a joint memo of settlement and prayed for an award being passed in terms thereof. The memo was recorded and marked Ex. A. It is seen from the settlement that the second party has agreed to pay and the first party has agreed to receive a sum of Rs. 100 in full and final settlement of the claims made by the first party in this dispute. I am of opinion that the terms of the settlement are fair and reasonable. I accept the settlement and proceed to pass an Award as under :—

AWARD

Reference is accepted. An Award is made between the parties in terms of the settlement, Ex. A, which should be annexed to this Award and be deemed as forming part of it. I order each party to bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"

P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

Reference No. I.D. 84 of 1966.

Between:

The Workmen ... I Party.

And

The Management of Joe Tile Works ... II Party.

JOINT MEMO

1. The II Party agree to pay a sum of Rs. 100 (Rupees One Hundred only) to the worker Smt. Vamani in full and final settlement of her claims in the dispute.

2. The said amount will be paid by means of a cheque drawn in the name of the representative of the worker on 18th October 1967.

3. In view of the above terms the first party does not press reinstatement and accept the said amount in full satisfaction of the claim.

4. It is prayed that the Honourable Court may be pleased to pass an Award in terms of this Joint memo.

(Sd.) Srinivasan,
17-10-1967.

(Sd) J. A. Britto
17-10-1967

Managing Partner,
Joe Tile Works.

Filed, recorded and marked Ex. A.
Untd. P. T. K
17-10-1967

"Copy"

P. T. KADKOL
Presiding Officer,
Labour Court, Bangalore.
23-10-1967

ORDER

Bangalore, dated 27th October 1967.

S. O. 2100.—WHEREAS by State Government Order No. LMA 245 LLD 66, dated 28th June 1966, the Industrial Dispute between the Workmen and the Management of M/s Joe Ti'e Works, Haige Bazaar, Mangalore-1, was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above in the *Mysore Gazette*

[No. LMA 245 LLD 66.]

By Order and in the name of the Governor of Mysore,

1375 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga.

Award of the Labour Court, Hubli : Published.

Read the following papers :

1. Letter No. 14f0/67-68, dated 30th September 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Date: 30*th September* 1967.

Reference (ID) (LCH) No. 77 of 1966

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer.*

Between

The Workmen of Zamrud Printing Press, Market Road, Gulbarga, represented by the President, Divisional Printing Press Workers' Union, Gulbarga. ... *I Party.*

and

The Management of Zamrud Printing Press, Market Road, Gulbarga. ... *II Party.*

The Government of Mysore being of the opinion that an industrial dispute exists between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 465 LLD 66, dated 5th December 1966. The points of dispute referred for adjudication are as under :

> "Is the Management of Zamrud Press, Market Road, Gulbarga justified in removing from the services the following two workers ?

(1) Sbri Khurshid Ali (2) Shri Shaik Nadeem.
If not, are they entitled for reinstatement with continuity of service?"

2. The cause of the aggrieved workmen has been sponscred and espoused by the Divisional Printing Press Worker's Union, Gulbarga, represented by its President. Sri M. I. Junedi, President of the Union appeared for the first party while no one appeared for the second party. Notices were issued more than once to the second party but they were returned unserved. Hence, it was set *ex parte*. The aggrieved workmen Sri Khurshid Ali and Sri Shaik Nadeem have filed seperate claim statements.

3 The sum and substance of the claim statement of Khurshid Ali is that he was employed with the second party from the year 1952 to 29th March 1966 on which day he was for no reason whatsoever dismissed. He used to draw a salary of Rs. 100 P.M. The dismissal was caused on a very silly excuse namely that on 29th March 1966 he happened to be late in reporting to his work by just 3 hours. He was first allowed to go ahead and attend to his work but in the meantime Sri Abdul Khader approached him and started abusing him in vulgar language. He caught hold of his shervani and tore the button of the shervani and assaulted him He then necked him out of the premises and threatened violence saying that he could go to any Court or Tribunal and none could do anything to him on this earth Sri Khursbid Ali wanted to go to the Police but he was advised by old timers not to spend any money on this score. The aggrieved workman has thus been removed from service for no fault what so ever and was subjected to great humiliation and rightly deserves reinstatement in his job with full back wages an all other benefits and contiouity of service. The claim statement contains the details of the benefits claimed on his behalf.

4 The case of Shaik Nadeem is that he was working as a composer under the second party from the year 1946 to 14th February 1966. He was a regular worker and a very obedient one. He was drawing a salary of Rs. 90 per month. It so happened that he fell ill a day prior to 14th February 1966. On this day he sent the intimation of sickness to the second party. On 16th February 1966 he went to the printing press and requested the Management to pay him some money as he was badly in need of it to purchase medicines. Instead of sympathising with the

employee the second party merely paid him Rs. 22 being his wages from 8th February 1966 to 14th February 1966 and told him that he was sacked. Thus the second party without any reason whatsoever terminated the service of the workman without following any procedure and throwing all canons of law to the winds. Thus the termination of the service of the employee was most unreasonable, unilateral and illegal. It was prayed that he may be reinstated in his original post with full back wages and continuity of service or in the alternative to pay him suitable compensation as per law. The claim statement details the other benefits claimed on behalf of the workman.

5. The points of dispute specified in the order of reference were adopted as issues in the case. Both the aggrieved workmen examined themselves and closed their oral evidence. In all the first party got marked 10 documents as exhibits in the case.

FINDINGS

6. The important point that arises for determination is whether the management was justified in dispensing with the services of the aggrieved workmen. I shall discuss the oral evidence first. The sum and substance of the sworn statement of Khurshid Ali W-W 1 is that he joined the service of the second party in the year 1353 Fasli. He used to work in the printing as well as the binding sections. In the year 1948 after the Police action he left Gulbarga and went away to Hyderabad When he returned in 1952 the management took him in their press as a fresher. He worked here till 29th March 1966. On this day he came late to the press by 20 minutes. Thereupon the management refused to take him on duty. Mr Abdul Khadar who was working there as manager caught hold of his shirt. This matter was compounded, so he did not inform the Police. On that day other workers had come later than him to the press but they were taken on work, and he was discriminated.

7. The sworn testimony of Shaik Nadeem W-W-2 is that he was working in the Ali Hajaz Press Bombay in the year 1947. In the month of August 1947 he came to Gulbarga. After staying here for some time he wanted to return to Bombay. At that time Abdul Kareem and Abdul Gafoor the proprietors of the press asked him to work in the press and prevailed upon him to join their

service. He worked with the second party till 1952. When the management removed him from service he made an application to the Labour as a result of which he was taken back in service. On 13th January 1965 he fell ill. He informed this to the management on 14th and 15th January 1966. On 16th January 1966 he asked the management to pay him either a loan or something by way of salary. They paid his one week's wages Rs. 22-50. After 4 days he again asked for a loan. Thereupon they refused to pay him loan and terminated his services. He has put in 20 years service with the management. His salary was Rs. 90 per month.

8. The attitude of the manggement was not helpful in the case. But the workmen cannot be reinstated in service because of any laps on the part of the management they have to establish by positive evidence that they were in service of the management and that services were dispensed with illegally.

I shall first examine the case of Kurshid Ali. Here is a workmen who went to his job 3 hours late and says that he was late just late by 3 hours, as though they were only 3 seconds. In his sworn testimony he modifies his statement by saying that he was late by 20 minutes only. On his own admission the other who had come to the press later than him were allowed to work but he alone was maltreated and discontinued. I am not prepared to give any credence to this piece of statement. The question is why should the management discriminated the particular workmen. He seems to be a stormy petrel. In his claim statement he stated that Abdul Khadar caught hold of his Shervani and tore away the buttons from his Shervani and assaulted him. In his testimony before the Court he deposed that Abdul Khadar had caught hold of his shirt. It has been rightly said that false witnesses have short memories. No management worth the name would tolerate latte coming on the part of their employees. Kburshid Ali stands self condemned. He was late by 3 hours. He had a quarrel with the management and the later was perfectly justified in putting an end to his service.

9. I shall next consider the case of Sri Shaik Nadeem. He is another stormy petrel. He admits in his sworn testimony that in the year 1952 the management has terminated his services. But hastened to add that he was taken back in service when he made an application to the Labour Officer. I fail to understand how the management who had removed him from service took him

back in service when he just made a complaint to the labour officer ; even without the intervention of the Labonr Officer. The whole story set up by him is a travesty of truth. He bas filed no less than 10 documents but most of them are fit to be food for the Waste Paper Bask-t. I have before me a document Exh. W-1 filed by the first party relating to Shaik Nadeem. It is a letter from Shaik Nadeem while he was working in the Al Hijaz Printing Press, Bombay. I shall reproduce here the first few lines. They run thus.

"The amount of pay of mine due from you and also the bonus for about 4 or 5 years has not been paid to me, and it is not understood as to why the said delay is being done in the payment thereof. I have already requested to settle the said accounts of mine and remit to my Bombay address."

This letter ends on a note. This is a very important note and throws a flood of light on the claim of the workman. It runs thus

"In the month of December 1951 without any mistake being committed by me, without any reason, you have informed me about the termination of my service instantaneously after putting up a service of about 4 or 5 years under you and the treatment has been meted out as if with an ordinary coolie or labourer. Please note that the present is not the "asafia" reign. Inspite of this I had been waiting for a long period of 5 months and I have found to my great regret that no reply what so ever has come out of the repeated correspondence entered into with you. nor any other satisfactory out come has come out. And seeing such an attitude from you, I have been compelled to adopt such proceeding, as stated herein above. I once again wait for one more week, and later on you may not state that you were unaware of.

Yours faithfully

dated : 31st May 1952

Sd/Shaik Nadeem,
for Zamarrud Press,
Gulbarga.

From a perusal of the document it is crystle clear that his services had been dispensed with as back as in the year 1951 itself and he had joined the service of Al Hijaz Printing Press, Bombay. He wanted the second party to settle off his accounts even. Now he wants the Court to believe that after terminating his services the second party and again taken him back in service. There is no cogent and reliable evidence to substantiate his claim. It is hard to believe that the management would have taken him back in service when he had addressed them in such harsh language. It is equally difficult to believe that Shaik Nadeem who was well placed in Al Hijaz Printing Press, Bombay would have come down to Gulbarga. It is no wonder that after quiting the Al Hijaz Printing Press, Bombay later he thought of raising some dispute with the second party and to settle his old differences with them. There is yet another document of importance. It is Exh. W-1 (a). In this document he writes "The Proprietor of this press is Mr. Abdul Kareem who has handed over the charge of the press to Mr. Abdul Qadir, Demonstrator of Engineering College, Gulbarga who is his nearest relation. The intention of the proprietor is to abolish the previous services of we poor Labourers. The charge was handed over on 1st January 1966". From this it is apparent that there is a change in the proprietorship of the press on 1st January 1966. This important fact has not been divulged in the claim statement of both the workmen. The previous proprietor and the present aught to have been made proforma parties to the reference. Exh. W-2 is an old diary. Exh. W-3 is a piece of paper exhibiting the various specimens of the types in the press. Exh W—4 is a blank proforma of the duty card. Exh. W—5 and W—6 are the letters dated 24th September 1947 and 16th October 1954 respectively addressed to Shaik Nadeem. Exh. W—7 is another letter dated 11th June 1947. Exh. W-8 is yet another later dated 22nd August 1949 addressed to Shri. Shaik Nadeem informing that the testicles of one Basher Ahmed had become swollen and needed operation. Exh. W-9 is a post card dated 11th August 1949 and Exh. W-10 is a postal acknowledgement receipt purporting to have been sent by Shaik Nadeem on 31st May 1952 while he has working in Al Hijaz Printing Press Bombay. It is beyond ones comprehension how these documents could corroborate the claim statement of the aggrieved workmen. Shaik Nadeem is a person who has already attained the age of superannuation. There can be no question of his reinstatement at this length of time. Both the workmen lay claim to certain benefits viz, service gratuity and leave wages etc. The question of their entitlement to benefits does not find a place in the points of dispute specified in the order of reference. So

this point cannot be considered at all. However there is nothing on record to show that the gratuity scheme was in force in the second party concern. Leave wages is a benefit to be enjoyed and not encashed. They are not entitled to notice pay. As a natural corolary to the above discussion the points of dispute referred for adjudication are answered against the first party.

AWARD

The management of Zamrud Printing Press, Gulbarga was justified in removing from the service Sri Khurshid Ali. Shaik Nadeem appears to have given up the service of the second party as early as 1951. There is nothing to show that the second party had terminated the services of Shri Shaik Nadeem. The parties shall bear their own costs.

Place : Hubli.
Date : 30-9-1967

Syed Azizuddin Ahmed
Presiding Officer,
Labour Court, Hubli

ANNEXURE

List of Witnesses examined by the first Party

W.W. 1 Shri. Khurshid Ali.
W.W. 2 Shri. Shaik Nadeem.

List of Witnesses examined by the Second Party

Nil

List of Documents marked by the first Party

Exhibits:

W-1 Letter dated 31st May 1952 by W.W. 2 addressed to second party.

W-1-A Copy of letter dated 29th March 1966 by workmen of second party.

W-2 Old Diary.
W-3 Printed piece of paper exhibiting various types.
W-4 Blank proforma of the duty card.
W-5 & W-6 Letters dated 24th September 1947 and 16th October 1954 respectively.
W-7 Letter dated 11th June 1947.
W-8 Letter dated 22nd August 1949. addressed to W.W. 2
W-9 Post card dated 11th August 1949.
W-10 Postal acknowledgement receipt.

Place. Hubli
Date. 30-9-1967

Syed Azizuddin Ahmed
Presiding Officer,
Labour Court, Hubli.

ORDER

Bangalore, dated the 20th October 1967.

S.O. 2101.—WHEREAS by State Government Order No. LMA 465 LLD 66, dated 5th December 1966 the Industrial Dispute between the Workmen and the Management of Zamrud Printing Press, Market Road, Gulbarga was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 465 LLD 66.]

By Order and in the name of the Governor of Mysore,

1321 G. G. PUROHIT, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

NOTIFICATION

Bangalore, dated 31st October 1967.

S.O. 2102.—In exercise of the powers conferred by sub-section (2) of Section 8 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of Notification No. LMA 215 LFB 65 dated 25th March, 1966 issued in this behalf, the Government of Mysore hereby appoints Shri A. P. Balakrishna, Chief Inspector of Factories and Boilers to be the Chief Inspector for the purpose of the said Act.

No. FCL 192 LFB (II) 66.]

By Order and in the name of the Governor of Mysore,

1376 G. G. Purohit, *Under Secy.*

NOTIFICATION.

Bangalore, dated 31st October 1967.

S. O. 2103.—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Boilers Act, 1923 (Central Act 5 of 1923), and in supersession of Notification No. LMA 215 LFB 65 dated 25th March, 1966 issued in this behalf, the Government of Mysore hereby appoints Shri A. P. Balakrishna, Chief Inspector of Factories and Boilers to be the Chief Inspector for the purpose of the said Act.

[No. FCL 192 LFB (III) 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

1377

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2104.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Rural Arts College, Kagwad to the Karnatak University, for teaching Pre-University Course Arts and B.A. Part one course for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about it financial position.

[No. ED 94 UAC 67.]

By Order and in the name of the Governor of Mysore,

1379 S. N. SREENATH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore-1, dated 26th October 1967.

S.O. 2105.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Corundum to Shri Sathyanarayanaswamy in the following areas of the Channapatna Taluk, Bangalore District on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Tenkanahalli	47	29 acres (11-73 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and

Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ; .

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose and information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The area mentioned above is subject to verification after actual survey.

[No. CI 162 EPO 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,

Under Secretary to Government,

1369 *Commerce and Industries Department.*

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to M/s. C. Didwamia, Bombay for Manganese ore over an area of 75 acres in F. S. No. 14 and 25 of Viral Village, Sapa Petha Taluk, North Kanara District for a period of 20 years.**

READ.—

1. Government Order No. CI 8 MNL 57, dated 26th October 1957.

2. Government Letter No. 86 EMI 67, dated 30th June/1st July 1967.

3. Correspondence ending with letter No. 93 DTN 67, dated 9th October 1967 from the Director of Mines and Geology, Bangalore.

PREAMBLE—

Government in their Notification read at (i) above, sanctioned the grant of Mining Lease over the above mentioned area to M/s. C. Didwamia, Bombay and the said lease bearing No. 380 was executed on dated 4th April 1958.

2. In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 1,125 towards dead rent due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the lessee on this account.

3. The Director of Mines and Geology, Bangalore, in his letter read at (iii) above, reports that M/s. C. Didwamia, Bombay, has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear arrears of Rs. 1,125 due to Government and hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated the 26th October 1967.

S. O. 2106.—Government hereby order determination of the above mentioned Mining Lease granted to M/s. C. Didwamia, Bombay-1, with effect from 31st August 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

[No. CI 86 EMI 67.]

By Order and in the name of the Governor of Mysore,

1370 N. NARAYANASWAMY, *Under Secy. to Govt., C. and I. Dept.*

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—**Determination of Mining Lease granted to Shri Ramakishandas Bansidhar Bedia, Bombay for Manganese ore over an area of 170 acres in F. S. No. 39 of Bazar Kunang Villages, Supapetha Taluk, North Kanara District for a period of 20 years.**

READ—

(i) Government Order No. CI 215 MNL 57, dated 11th January 1958.

(ii) Government letter No. CI 78 EMI 67, dated 26/27th June 1967.

(iii) Letter No. 91 DTN 67, dated 9th October 1967 from the Director of Mines and Geology, Bangalore.

PREAMBLE.—

Government in their Notification read at (i) above, sanctioned the grant of Mining Lease over the above mentioned area to Shri Ramakishandas Bansidhar Bedia, Bombay and the said lease bearing No. 403 was executed on 30th January 1958.

In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 2,550 towards dead rent due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the lessee on this account.

The Director of Mines and Geology, Bangalore, in his letter read at (iii) above, reports that Shri Ramakishandas Bansidhar Bedia, Bombay has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear the arrears of Rs. 2,550 due to Government and hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated 28th October 1967.

S. O. 2107.—Government hereby order determination of the above mentioned Mining Lease granted to Shri Ramakishandas Bansidhar Bedia with effect from 27th August 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

[No. CI 78 EMI 67.]

By Order and in the name of the Governor of Mysore,

1373 N. NARAYANASWAMY, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 28th—30th October 1967.

S. O. 2108.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction continuation of affiliation of the B. M. Shetty First Grade College, Konanur to the Mysore University, for teaching the following courses :—

(i) Pre-University Course Arts–History, Economics Logic.	
(ii) Pre-University Course Science–Physics, Chemistry, Mathematics.	64 students for each combination.
Physics, Chemistry, Biology.	
(iii) Pre-University Course Commerce–History Economics, Commerce.	
(iv) B. A. Degree (First Year). History, Economics (Majors), Sociology (Minor). History, Economics (Majors), English (Minor).	
(v) B. A. Degree (Second Year). History, Economics (Majors), Sociology (Minor).	
(vi) B. A., Degree (Third Year). History, Economics (Majors), Sociology (Minor).	

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee.

[No. ED 82 UAC 67.]

By Order and in the name of the Governor of Mysore,

1368 S. N. SREENATH, *Under Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 30th October 1967.

S. O. 2109.—WHEREAS by Government Notification, Revenue Department No. 6875/39 dated the 16th February 1943, issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Kapas and lint in the area of Gadag Taluka of Dharwar District and declare it to be a market area;

AND WHEREAS by Government Notification, Revenue Department No. 6875/39 dated the 7th May 1948, issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Groundnut (shelled and unshelled) and safflower in addition to cotton (Ginned and unginned) and lint in the said market area;

AND WHEREAS by Government Notification Development Department No.APM 5953' dated the 23rd November 1953 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act 1939, (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of Linseed, Sesamum, Castor Seed, Tur, Mung, Math, Udid, Kulthi and Betel leaves in addition to cotton (ginned and unginned), lint, groundnut (shelled and unshelled) and safflower, in the said market area;

AND WHEREAS by Government Notification, Development Department No. PMA 5954, dated the 28th April 1955 issued under sub-section (4) of section 4 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939) the Government of Bombay was pleased to regulate

the purchase and sale of Jowar, Wheat, Gram and Corriander in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled), Safflower, Linseed, Seasmum, Castor seed, Tur, Mung, Math, Udid, Kulthi and Betel-leaves in the said Market area ;

AND WHEREAS by Government Notification No. DPC 70 CMD 67, dated the 29th May 1967, issued under sub-section (4) of section 4 read with section 3 of the Bombay Agricultural Produce Markets Act 1939, (Bombay Act XXII of 1939), the Government of Mysore declared its intention of regulate the purchase and sale of Cattle, Sheep, Goats, Vegetables namely Potato, Onion, Tomato, Suram, Leafy and fresh Vegetables, Yam, Sweet potatoes and Kuchara and wet chillies in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled) safflower, Linseed, Sesamum, Castorseed, Tur, Mung, Math, Udid, Kulthi, Betelnut, Jowar, Wheat, Gram and Corriander in the said Market area.

NOW THEREFORE in exercise of the powers conferred by sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939) as in force in the Bombay area, the Government of Mysore hereby declares that with effect from 16th November 1967 the said area shall be a Market area for the purposes of the said Act in respect of Cattle, Sheep, Goats, Vegetables, namely Potato, Onion, Tomato, Suram, Leafy and fresh Vegetables, Yam and sweet potatoes, and Kuchara and Wet chillies in addition to cotton (ginned and unginned) lint, Groundnut (shelled and unshelled) Safflower, Linseed, Sesamum, Castorseed, Tur, Mung, Math, Udid, Kulthi, Betel nuts, Jowar Wheat, Gram and Corriander.

[No. DPC 70 CMD 67.]

By Order and in the name of the Governor of Mysore,

S. V. PRABHU, *Under Secretary.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S.O. 2110—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and as directed by Government of India, under Rule 55 of the Mineral Concession Rules, 1960, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese and Iron Ore to Shri K. Raghavendra Rao in the following areas of the Holalkere Taluk, Chitradurga District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Hirekandavadi	As per Sketch	80 acres. (32.37 hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 (Rupees two and paise fifty)per hectare of the land covered by the licence for each or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty

payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as Security a sum of Rs. 200 (Two hundred rupees) in respect of every squar kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geolagist or a mining Engineer to conduct the prospecting methodically;

12. The licensee shall not give any ore-raising contract during the prospecting stage; and

13. The area mentioned above is subject to verification after actual survey.

[No. CI 22 EPO 67].

By Order and in the name of the Governor of Mysore,

1372 N. NARAYANASWAMY, *Under Secy.*

HOME SECRETARIAT

NOTIFICATION.

Bangalore, dated 31st October 1967.

S. O. 2111.—WHEREAS the Government of Mysore considers that it is necessary to fix the rates of freight charges for the postal mails carried in stage carriages owned by operators other than the State Transport Undertakings in the State of Mysore. Now therefore the following draft of the directions which the Government of Mysore proposes to issue to the State Transport Authority in exercise of the powers conferred by sub-section (1) of the Section 43 of the Motor Vehicles Act, 1939 (Central Act 4 1939), and in supersession of the draft directions already notified in the *Mysore Gazette* dated 10th August 1967, under Notification No. HD 350 TMA 65, dated 3rd August 1967, is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 11th December 1967.

Objections or suggestions which may be received from any person by the State Government in respect of the said draft before the date specified above will be considered by the Government. Objections or suggestions may be addressed to the Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1.

Draft Directions

The State Transport Authority is directed to fix the rates of freight chargeable in respect of postal mails carried in State Carriages owned by operators other than the State Transport Undertakings in the State having regard to the following matters namely :—

"(1) Subject to a minimum of rupees fifteen per month the rate of freight charges shall be fixed at the rate of half the maximum passenger fare per Kilometre for every 37.2. Kgs.

(2) In cases where the stage carriages have to divert from their normal route for the sole purpose of picking up or setting down the Postal Mails, an additional amount at the rate of 6½ paise per Kilometre shall be charged; and

(3) The weight of the mails shall be equal to the average of the mails weighed for all the seven days in a week on the routes where mails are carried on all the days of the month and for the six days in a week where they are not carried on Sundays. The freight rate per month shall be worked out on the basis of 30 days or 26 days a month as the case may be.

[No. HD 350 TMA 65.]

By Order and in the name of the Governor of Mysore,

1387 C. RAJANNA, *Under Secretary.*

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated 7th November 1967.

S.O. 2112.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 and sub-section (2) of Section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) the Government of Mysore hereby revises with effect from 1st December 1967 the minimum rates of wages for the classes of employment in any Printing Press specified in column (1) of the Schedule as indicated in the corresponding entries in column (2) thereof:—

SCHEDULE

Classes of Employment	All inclusive Minimum rates of wages.
1	2
	Rs. ps.
I. Skilled.—	
1 Compositor.	
2 Printer.	
3 Binder.	
4 Mono-Caster.	
5 Type-Caster.	3.35 per day.
6 Block maker.	
7 Process Engraver.	
8 Proof Reader.	
9 Cylinderman.	
10 Treadle Pressman/Plateman.	
II. Semi Skilled.—	
1 Roling Feeder.	2.60 per day.
2 Letter Press Feeder.	
3 Checker.	
4 Packer.	
5 Perforator.	
6 Cutter/Sewer/Folder.	
7 Sewing Machineman	
8 Apprentice.	
9 Assistant to skilled worker.	

1		3
III. Un-Skilled.—		
1 Peon/Watchman/Office Boy. 2 Sweeper. 3 Cleaner.	}	3.25 per day
IV. Office Staff.—		
1 Clerk, Typist. Cashier and Store Keeper.		115.00 per month

[No. FCL 4 LMW 67]

By Order and in the name of the Governor of Mysore,

1400 G. G. PUROHIT, *Under Secretary.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2.

Award of the Labour Court, Bangalore—published.

Read the following papers :

(1) Letter No. 803/67-68, dated 23rd October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT :

Sri P. T. Kadkol, B.Sc., LL.B. .. *Presiding Officer.*

Reference No. 7 of 1967.

Sri A. C. Visweswaran, No. 103, Veerapillay Street, Civil Station, Bangalore-1 .. .. *First Party.*

Vs

The Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2 .. .. *Second Party.*

Reference

G. O. No. LMA 9 LLD 67, dated 27th January 1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Janson Surgical Co., Bangalore, have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 9 LLD 67, dated 27th January 1967, setting out the following points of dispute for adjudication :—

> "Is the management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2, justified in dismissing Sri A. C. Visweswaran ? If not, what is the relief the petitioner is entitled to ?"

2. Though the Order of Reference mentions the dispute as existing between the workmen and the management of Janson Surgical Co., Bangalore, it is really between the aggrieved workman Mr. A. C. Visweswaran and the Management of Janson Surgical Company, Bangalore. The dispute is regarding the alleged termination of the service of Visveswaran by the Management on 16th April 1966. The Government have made this Reference, presumably under Section 2-A of the Industrial Disputes Act, 1947, read with Section 10 (1) (c) thereof. The cause of Visveswaran has not been sponsored, either by the other workmen in the Establishment or by any Trade Union.

3. Visveswaran has submitted his statement of claims dated 15th March 1967. The averments made by him, therein, these :—

> The proprietrix of Janson Surgical Company was one Smt. Chandrabai Ammal. Her husband T. N. Janakiram, was the Manager thereof. He was employed by Chandrabai Ammal and Janakiram in February 1964, on a salary of Rs. 200 per month and a commission of one per cent on the total turn over and bonus equivalent to two months' wages per year. He received his commission of one per cent and bonus for the years 1964 and 1965. His services were terminated without any reasonable cause, with effect from 16th April 1966. The Management owes him Rs. 1,675 as detailed. Hence it should be directed to pay him the said amount, etc.

4. It may be specifically noted here that Visveswaran has prayed for his reinstatement in the Establishment.

5. Mr. T. N. Janakiram has submitted the statement of objections dated 11th May 1967 on behalf of the Management. The contentions raised by him are these :—

> The conduct and attitude of Visveswaran were unsatisfactory and his attendance was irregular. He also misappropriated some

amount belonging to the Establishment. When the management questioned him about those matters, Visweswaran voluntarily stayed away from work, with effect from 1st December 1965. It is false to say that he worked till 15th April 1966 and his services were terminated by the Management with effect from the next day. Visveswaran is related to the family. Hence, even after 1st December 1965 the Management used to advance him monies, to meet his needs. Visweswaran has still to account to the Management some articles taken by him, to the value of about Rs. 1,000. If these things are taken into account, it would be seen that the Management owes nothing to Visweswaran. Since March 1966, Visweswaran has started doing business in the same line. The Management has given him some articles on credit for his new business. The Management owes nothing to Visweswaran. Hence the Reference be rejected, etc.

6. On these pleadings, the following additional issues have been framed on 7th June 1967 (*Vide* Order Sheet) and set down for hearing :—

(1) Does the First Party prove that the workman Visweswaran has been dismissed from service by the second party on 16th April 1966 ?

(2) Does the Second Party prove that Visweswaran has abandoned service voluntarily ?

(3) What Award ?

Parties were asked to lead evidence on these issues and they have done so. Visweswaran has examined himself as W.W.1. For the Management, Vijayarangam has been examined as M.W.1. This is all the evidence in the case.

7. As noted by me above, Visweswaran has not prayed that he be reinstated in service under the Management of the Second Party. All that he wants from the Second Party, is a sum of Rs. 1,675 as set out in the statement of claim. This amount is made up of the following items :—

		Rs.
1.	Salary for 5 months and a half from November 1965 to 15th April 1966 at Rs. 200 per month.	1,100 00
2.	Bonus for two months as agreed for the year 1965-66.	400 00

		Rs.
3.	Commission on turn over for 1065-66 on Rs. 40,000 at one per cent.	400 00
		1,900 00
4	Less Advance received from time to time till March 1966.	225 00
	Total amount due	1,675 00

8. In his deposition before me (W W 1) Visweswaran has stated :—

> "I do not want reinstatement now. I may be awarded service compensation for the service rendered by me. (Para 6).
>
> I have received salary up to December 1965. Some salary is still due to me from the Second Party. I will file a proceeding in the Court of the Authority under the Payment of Wages Act, for recovering the amount due to me as arrears of salary. So, my service compensation may be awarded to me. I do not want anything else (Para 7) "

9. An employee is entitled to Retrenchment Compensation under Section 25F of the Industrial Disputes Act, only in case, he has been retrenched. This retrenchment compensation, in common parlance, is called "Service Compensation" In the case on hand it is nobody's case that Visweswaran has been retrenched, within the definition of that word as given in Section 2 (oo) of the Industrial Disputes Act and within the meaning thereof, as propounded by the Supreme Court and all the High Courts. Visweswaran can not, therefore, demand service compensation as a matter of right.

10. The witness for the Management is T. J. Vijayarangam. Chandrabai Ammal, who died in 1964, was his stepmother. T. K. Janakiram, who has signed and presented the statement of objections, is the husband of Chandrabai Ammal and father of Vijayarangam. T. K. Janakiram is a victim of paralysis and the Establishment is now managed by Vijayarangam. The aggrived workman Visweswaran is the husband of T. K. Janakiram's sister's daughter. All these facts are admitted on both hands.

11. Visweswaran has sworn before me that Janakiram sent word to him through Jayaram that his services were not required.

This Jayaram, as stated by Vijayarangam, is his (Vijayarangam's) uncle. Jayaram has not been examined, by either party. Vijayarangam has stated that Visweswaran left service, of his own accord. There is no particular reason to prefer the oath of one to that of the other. But since Visweswaran is not seeking reinstatement, the question whether his service was terminated or he abandoned it voluntarily, would lose all significance. Hence, I am of the view that there is no need to record any finding, either on the first or the second issue.

12. Visweswaran has stated that he was appointed on a salary of Rs. 200 per month *plus* one per cent commission on the total turn-over *plus* a bonus equivalent to two months' salary per year. This means that all the three items, or at any rate, the first two, would be his wages or salary. He has stated that to recover the arrears of salary, he would move the Authority under the Payment of Wages Act. He may do so, if permissible and if so advised as regards, bonus, if it is part of the agreed wages, Visweswaran may include it in his claim before the Authority under the Payment of Wages Act. If it is not part of the Wages, he can not receive it in this court because, he has not said that the Management has declared bonus for the year in question. So far as this proceeding is concerned, I can not award him any of the monetary claims made by him, for the foregoing reasons.

13. This leaves us only with the prayer of Visweswaran for service compensation. With regard to this claim, Vijayarangam has stated :—

> " We are willing to pay him the service compensation due to him according to law (Para 6).

But according to law, Visweswaran is not entitled to any compensation, under Section 25F of the Act because he has not been retrenched. He can not also be given any compensation by way of gratuity, because no scheme for payment of gratuity is proved to exist, in the Second Party Establishment. In these circumstances, I am of the opinion that Visweswaran is not entitled to get any relief from this Court.

14. **Hence, I make an Award as under :—**

AWARD

1. The reference and all demands made by Visweswaran, do stand rejected subject to the observations made regarding the arrears of salary or wages alleged to be due to him. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 28th October 1967.

S. O. 2113. WHEREAS by State Government Order No. LMA 9 LLD 67, dated 27th January 1967, the Industrial Dispute between the Workmen and the Management of Janson Surgical Co., No. 70, Arcot Srinivasachar Street, Bangalore-2, was referred to the Labour Court, Baugalore, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 9 LLD 67].

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Mangalore Garage, Mangalore-1.

Award of the Labour Court, Bangalore—published.

Read the following papers :

(1) Letter No. 785/67-68, dated 23rd October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COUPT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT :

Sri P. T. Kadkol, B.SC., LL.B. *Presiding Officer*

Reference No. 105 *of* 66.

Workmen represented by the Secretary, Karnatak Automobile and Engineering Workers' Union, Mangalore .. *I Party.*

Vs.

The Management of M/s. Mangalore Garage, Mangalore-1. .. *II Party.*

REFERENCE :

G.O. No. LMA 572 *LLD* 65, *dated* 25*th August* 1966

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Mangalore Garage, Mangalore have referred it to this Court for adjudication under Section 10(1)(c) of the Industrial Disputes

Act, 1947, by their Order No. LMA 572 LLD 65, dated 25th August 1966, setting out the following points of dispute for adjudication :—

"I. Are the Workmen of Mangalore Garage, Mangalore, justified in demanding the restoration of 12 days' special leave with effect from 1st January 1964.

II. If not, to what other relief are they entitled to ?"

2. The cause of the aggrieved workmen has been sponsored by the Karnatak Automobile and Engineering Workers' Union, Mangalore which is a registered Trade Union, this Union as representing the workmen is the first party and the management of M/s. Mangalore Garage, Mangalore, is the second party in this proceeding.

3. In response to the notice issued by the Court the first party has submitted its statement of claims, dated 8th September 1966 and the second party has submitted its statement of objections, dated 5th January 1967. On these pleadings, some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet).

4. On 18th October 1967 when the case came up for hearing at Mangalore Camp, Mr. Telicherikar appearing for the Ist party submitted a memo, marked Ex. A, stating that the Ist Party does not press this reference and hence it may be disposed of. Mr. Tukaram Pai, appearing for the second party has endorsed on the memo Ex. A, that he has no objection. In view of the fact that the Ist Party is not pressing the dispute nothing further needs be done. In the result I make an Award as under :—

AWARD

REFERENCE REJECTED as prayed for in the memo Ex. A, submitted by the first party which should be annexed to this Award and be deemed as forming part of it. No order as to costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

In I. D. No. 105 *of* 1966.

Between :

The Workmen of M/s. Mangalore Garage, Mangalore-1
... .. *I Party.*

and

The Management of M/s. Mangalore Garage, Mangalore-1
.. .. *II Party.*

May it please your honour,

The I Party submits, that, they do not press the abovenamed dispute, therefore it is prayed that the dispute may be dismissed as not pressed.

There be no order as to costs.

Pray for orders accordingly.

Dated at Mangalore this the 18th day of October 1967.

(Sd.) .....

For I Party.

No objection.

(Sd.) Tukaram Pai.
18-10-67.

Filed, Recorded and Marked Ex. A.

(Intd.) P.T.K.,
18–10.

ORDER

Bangalore, dated 28th October 1967.

S. O. 2114. WHEREAS by State Government Order No. LMA 572 LLD 65, dated 25th August 1967, the Industrial Dispute between the Workmen and the Management of M/s. Mangalore Garage, Mangalore-1, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. LMA 572 LLD 65.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the workmen and the management of Azad Industries, Jeppu, Mangalore-1.

Award of the Labour Court, Hubli, published.

Read the following papers :

(1) Letter No. 1517/67-68, dated 24th October 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 24th October 1967.

Reference (ID) (LCH) *No. 35 of 1967.*

PRESENT :

Sri Syed Azizuddin Ahmed, M.A., B.L. *Presiding Officer.*

BETWEEN :

The Workmen of Azad Industries, Jeppu, Mangalore represented by the Secretary, Karnataka General Workers' Union, Maidan Cross Road, Mangalore-1 .. *I Party.*

AND

The Management, Azad Industries, Jeppu, Mangalore-1.
II Party.

This is a reference under Section 10(1)(c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 241 LLD 67, dated 3rd May 1967. The points of dispute referred for adjudication are as under :—

I. Are the management of Azad Industries, Jeppu, Mangalore-1, justified in dismissing Sri M. Abdul Rahiman ?

II. If not, is the worker entitled to reinstatement with back wages or to any other relief ?

2. The cause of the aggrieved workman has been sponsored and espoused by the Karnatak General Workers' Union, Mangalore represented by its Secretary. Sri T. P. Rao, Secretary, appeared

for the I Party while Sri K. S. Rao, President, General Managements' Association, Mangalore appeared for the II Party. In response to the notices issued by the Court, the I Party filed its Claim Statement, dated 28th June 1967 while no counter statement was filed by the II Party.

3. When the case was taken up for hearing at Mangalore Camp on 19th October 1967, Sri T. P. Rao, the learned Secretary of the I Party filed an application withdrawing the dispute.

AWARD

In view of the withdrawal application, dated 19th October 1967, the reference is rejected. No order as to costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court Hubli.

Place : Hubli

Date : 24th October 1967.

ORDER

Bangalore, dated 30th October 1967.

S. O. 2115. WHEREAS by State Government Order No. LMA 241 LLD 67, dated 3rd May 1967, the Industrial Dispute between the Workmen and the Management of Azad Industries, Jeppu, Mangalore-1, was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 241 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2.

Award of the Labour Court, Hubli—Published.

Read the following papers :

(1) Letter No. 1522/67-68, dated 24th October 1967, from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated 24th October 1967.

Reference (ID) (LCH) No. 65 of 1967.

PRESENT :

Sri Syed Azizuddin Ahmed, M.A., B.L. *Presiding Officer.*

BETWEEN :

The Workmen of M/s Rodrich Auto Diesel Service, Kadri Temple Road, Mangalore represented by the Secretary, Karnatak Automobile and Engineering Workers' Union, Maidan Cross Road, Mangalore .. .. *I Party.*

and

The Management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2 .. .. *II Party.*

This is a reference under Section 10(1)(c) of the Industrial Disputes Act, 1947, made by the Government of Mysore in their Order No. LMA 386 LLD 67, dated 5th August 1967. The point of dispute referred for adjudication is as under :—

> "Is Sri Claudines Pinto, worker of M/s. Rodrich Auto Diesel Service, Kadri Temple Road, Mangalore-2 entitled for grant of an annual increment of Rs. 20 per month with effect from January 1967 or at any other rate ?"

2. The cause of the aggrieved workman has been sponsored and espoused by the Karnataka Automobile and Engineering Workers'

Union, Mangalore represented by its Secretary. Sri T. P. Rao, Secretary appeared for the Union while Sri Cyril D'Souza, Manager appeared for the Second Party. In response to the notices issued by the Court the parties had filed their written statements dated 26th August 1967 and 18th September 1967 respectively. Later, the Secretary of the First Party sent an application to the Court withdrawing the dispute.

3. When the case was taken up for hearing at Mangalore Camp on 19th October 1967, Sri T. P. Rao, the Secretary of the First Party admitted before me the execution of the withdrawal application, dated 19th October 1967. The same was duly verified by me.

AWARD

In view of the withdrawal application, dated 19th October 1967 the reference is rejected. No order as to costs.

Place : Hubli

Date : 24th October 1967.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ORDER

Dated 28th October 1967.

S.O. 2116. WHEREAS by State Government Order No. LMA 386 LLD 67, dated 5th August 1967, the Industrial Dispute between the workmen and the Management of M/s. Rodrich Auto-Diesel Service, Kadri Temple Road, Mangalore-2, was referred to the Labour Court, Hubli, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above in the *Mysore Gazette*.

[No. LMA 386 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute, between the workmen and the management of M/s. Peirce Leslie & Co., Ltd., Mangalore.

Award of the Labour Court, Bangalore—published.

Read the following papers :

(1) Letter No. 787/67-68, dated 23rd October 1967, Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

PRESENT :

Sri P. T. Kadkol, B.SC., LL.B., *Presiding Officer.*

Reference No. 93 *of* 1966.

Workmen represented by the Secretary, S. K. Cashew Coffee Workers Union, Maidan Cross Road, Mangalore .. *First Party.*

and

The Management of M/s. Peirce Leslie & Co., Ltd., Mangalore. .. .. *Second Party.*

REFERENCE :

Government Order No. LMA 280 *LLD* 66, *dated 22nd July* 1966

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Peirce Leslie & Co., Ltd., Mangalore, have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes

Act, 1947, by their Order No. LMA 280 LLD 66, dated 22nd July 1966, setting out the following points of dispute for adjudication :—

> "Are the Management of M/s. Peirce Leslie & Co., Ltd., Kulshekar Works, Mangalore justified in suspending Smt. Padmavathi, (No. 888) for a week from 21st January 1966 and withholding her wages for the said period.
>
> If not to what reliefs the worker is entitled to ?"

2. The cause of the aggrieved worker Padmavathi, has been sponsored by S.K. Cashew and Coffee Workers Union, Mangalore, which is a Registered Trade Union. This Union, as representing the workmen is the first party and the management of M/s. Peirce Leslie & Co., Ltd., is the second party in this proceeding.

3. In response to the notice issued by the court, the first party has put in its statement of claims dated 17th January 1967 and the second party has put in its statement of objections dated 31st January 1967. On these pleadings some issues were framed and set down for hearing on 28th March 1967 (*Vide* Order Sheet).

4. On 18th October 1967 when the case came up for hearing at Mangalore Camp, Mr. Telicherikar, representing the first party submitted a memo, marked Ex.A., stating that the first party does not press this reference and it may be disposed of. Mr. Venkappa Rai, appearing for the second party has endorsed on the said memo that he has no objection. Now that the first party is not pressing the dispute, nothing further needs be done. In the result I make an Award as under :—

AWARD

Reference is rejected as not pressed as per memo Ex. A. which should be annexed to this Award and be deemed as forming part thereof. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

BEFORE THE LABOUR COURT, BANGALORE.

In I.D. No. 93 of 1966.

BETWEEN :

The Workmen of M/s. Peirce Leslie & Co., Ltd., Mangalore-5
.. .. *First Party.*

and

The Management of M/s. Peirce Leslie & Co., Ltd., Mangalore-5
.. .. *Second Party.*

May it please your honour,

The First Party submits that they do not press the above said dispute, therefore it is prayed that the dispute may be dismissed as not pressed.

There be no order as to costs.

Pray for orders accordingly.

Dated at Mangalore this the 18th day of October 1967.

(Sd.) Talicherikar,
For First Party.

No objection.

(Sd.) Venkappa Rai.
18-10-1967.

Filed, Recorded and Marked Ex.A.
Intd. P.T.K.
18.10.

ORDER

Bangalore, dated 28th October 1967.

S.O. 2117. WHEREAS by State Government Order No. LMA 280 LLD 66, dated 22nd July 1966 the Industrial Dispute between the workmen and the Management of M/s. Peirce Leslie & Co., Ltd., Mangalore, was referred to the Labour Court, Bangalore, for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 280 LLD 66.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,

Under Secretary to Government,
Food, Civil Supplies and Labour Department.

Revenue Secretariat

ORDER.

Bangalore, dated the 20th August 1967.

S O 2119.—In exercise of the powers conferred by sub-section (1) of the Section 106 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby directs the revenue survey of plantation lands of the villages specified in column 4 of the Schedule below situated in the Districts and Taluks specified in the corresponding entries in columns 2 and 3 thereof.

SCHEDULE.

Sl. No.	Name of the District	Name of the Taluk	Name of the Village
1	2	3	4
1	Shimoga	Hosanagara	Talale
2		Thirthahalli	Singanabidare
3			Talale
4			Shindavadi
5			Kunda
6			Nanduru
7	Hassan	Sakleshpur	Kasaba Hettur
8			Marukahalli
9			Konabanahalli
10			Hadalahalli
11			Byagadehalli
12			Manakacahalli
13			Vatagur
14			Arangi
15			Bachahalli
16			Attihalli
17			Yattihalli
18			Jadisadde
19			Kumtahalli
20			Betteke omani
21			Boramave
22			Yeragahalli
23			Maragatrur
24			Hongademalli
25			Yadaramani
26			Balebalii
27			Chinnahalli
28			Banniballi
29			Hosahalli
30			Hiriyur
31			Bommanakere

1	2	3	4
32	Hassan	Sakleshpur	Hiralanahalli
33			Vadarahalli
34			Jabbanahalli
35			Ralalahalli
36			Karadigala
37			Rajaman- Estate
38			Anchemanie Estate
39			Jaisali Forest
40			Vanakur Estate
41			Kaffineri Estate
42			Belur
43			Hosalahalli
44			Nidugere
45			Adahalli
46			Ummanttur
47			Kurubattur
48			Yanavaraballi
49			Kasaba, Ambal
50			Huradi
51			Achareddy
52			Basavanahalli
53			Handigenahalli
54			Nalagahalli
55			Maravunda
56			Kuvarihalli
57			Maragani
58			Koragahalli
59			Devalakere
60			Nekanahalli
61			Agal halli
62			Hasige
63			Maranapura
64			Hodehahalli
65			Achan halli
66			Mukk halli
67			Hiremandi
68			Agadi
69			Jambaradi
70			Mavin halli
71			Dabbegadde
72			Mavinako'u
73			Kyamanahalli
74			Hoggadde
75			Karumane
76			Addi Estate
77			Harige Estate
78			Kebbanahalli
79			Avarekadu Estate

1	2	3	4
80	Hassan	Sakleshpur	Jaliken halli Estate
81			Maraviken Estate
82			Kadumane Estate
83			Muruchan halli Estate
84			Kasaba Yesur
85			Kuthalapura
86			Uchangi
87			Halagatur
88			Hosur
89			Kosagoge
90			Kavadadi
91			Konakanalu
91a			Kadalur
92			Hansi
93			Echalakoppalu
94			Kalale
95			Sudavalli
96			Heruru
97			Heggadahalli
98			Marogahalli
99			Sadarahalli
100			Changadahalli
101			Nagur
102			Mergur
103			Doddakumadur
104			Maduru
105			Lakkanda
106			Chikkamadur
107			Sarag halli
108			Kasur
109			Yadakere
110			Honya
111			Attigehalli
112			Kumarahalli
113			Kersoi
114			Kottarahalli
115			Chikkatalur
116			Doddakallur
117			Henkalu
118			Negalu
119			Doddanahalli
120			Gaddahalli
121			Gudahalli
122			Konggalli
123			Hanalakerehalli
124			Banagere
124a			Mugeru
125			Tharikalagere

1	2	3	4
126	Hassan	Sakleshpur	Karagur
127			Halli ur
128			Ba halli
129			Igur t state
130			K la e Estate
131			I o-ko e Estate
132			Ana-i Estate
133			Halagutur
134			S K. Gowdarahyalu
135			Kasaba Pelegodu
136			Eswarahalli
137			Gulagulale
138			Kuk namane
139			Golagunde
140			Mu g i
141			Hebbanahalli
142			Lokku d.
143			S nd halli
144			Ma tigatale
145			Sidragavalo
146			U e ara
147			Bal goou
148			Balu
149			Kesaga'i
150			Ba avabe
151			Page
152			Mena rmakki
153			Y d halli
154			Hasag valle
155			
156			Ch ikamayakanahalli
157			Jammanahalli
158			Ho agadde
159			Hal kere
160			Ku arenahalli
161			Kos ker
162			Kodanahalli
163			Alav li
164			Krir vale
165			Hegg re
166			Kirahunase
167			Vaddur
168			Adar valli
169			K n lanamane
170			Kasaba Sakuleapur
171			Hennali
172			Achavgi
173			Doddasarara

1	2	3	4
174	Hassan	Sakleshpur	Gangdahalli
175			Fykere
176			Hebbasale
177			Jannapura
178			Biradahalli
179			Halanuige
180			Hasadi
181			Kirihalli
182			Masadi
183			Musuhalli
184			Keraglale
185			Basavannahalli
186			Kottahalli
187			Kabbinagadde
188			Kunagelamane
189			Maale
190			Siddapura
191			Mattagara
192			Karavalla
193			Hale Bilur
194			Ramanahalli
195			Kalugani
196			Anenahalli
197			Davihalli
198			Kulahalli
199			Halelayu
200			Kesaganhalli
201			Konigalu
202			Kavadahalli
203			Donigalu
204			Kavad halli
205			Chikkasattigala
206			Hiragallu
207			Nellullu
208			Ibbani
209			Kattapura
210			Doddasattigala
211			Arakere
212			Salaki
213			Hyakaravalli
214			Kannanahalli
215			Jarekere
216			Kumbarandi
217			Nadahalli
218			Kaligannanarehalli
219			Haranarahalli
220			Kyarannahalli

1	2	3	4
221	Hassan	Sakleshpur	Kadagaravalli
222			Bagod halli
223			Alavalli
224			Hosur Estate
225			Mattasagara Estate
226			Echalahalli Estate
227			Hallahalli
228			Yesalbaradi Estate
229			Kadagaravalli Estate
230			Kasaba Kundur
23	Hassan District	Alur Taluk	Ramanahalli
233			Balagaravalli
233			Kadaravalli
234			Gangura
235			Sanehalli
235a			Hasagandur
236			Devarapura
237			Lakkumarahalli
238			Thimmalapura
239			Harihalli
240			Maojalgaon
241			Hanganahalli
242			Kadarahalli
243			Kerehalli
244			Hesamata
245			Bettahalli
246			Maddagarakanahalli
247			Baligamahalli
248			Kaggaravalli
249			Palya
250			Nalur
251			Dibbel gatta
252			Nidenedu
253			Chikalur
254			Hanagavalli
255			Kamati
256			Karajavalli
257			Hariganahalli
258			Heddurga
259			Belur
260			Chikkati
261			Hunehalli
263			Rommasamane
263			Kasahalli
264			Kelane
265			Muttige

1	2	3	4
266	Hassan	Alur	Mallapura
267			Mygge
268			Kadamur
269			Kaggamur Estate
270			Abbana
271			Hydur
272			Kongere
273			Marattayakanahalli
274			Anjalage
275			Bekkadi
276			Marihalli
277			Kadur
278			Mallagalale
279			Nagavara
280			Nagadihalli
281			Nidumanahalli
282			Hadya
283			Hachaganahalli
284			
285			Yadahalli Nanjapura
286			Latur
287			Madagadu
288			Salagodu
289			Halliyur
290			Kanavebasavanahalli
291			Mallenahalli
292			Neelagalale
293			Nusker
294			Karagadi
295			Karaibetta
296			Bommarayanahalli
297			Hunsarhalli
298			Hemmige
299			Nellihalli
300			Higatur
301			Kittagalale
302			Hosahalli
303			Adaiyale
304			Kadidale
305			Hiragarapura
306			Hitur
307			Jayapura
308			Hiralakere
309			Tippapura
310			Herjulige
311			Helakunda
312			Hariballi
313			Kakihalli

1	2	3	4
	Hassan	Arsikelagud Taluk	Names of the villages having plantation lands
314			Nagodu
315			Hoppli
316			Badanur
317			Kelagalage
318			Basur
319			Dasanapura
320		Belur Taluk	Adavalli
321			Aravalli
323			Nidagodu
323			Kuntmanahalli
324			Aggalu
325			Bilagunde
326			Kurkihalli
327			Gendehalli
328			Marur
329			Angajanahalli
330			Kalleri
331			Saglur
332			Heragodu
333			Thalagodu
334			Maggehalli
335			Madapedu
336			Hosahalli
337			Malavalli
338			Chandapura
339			Nagasavara
340			Muttavara
341			Muvara
342			Kalanamata
343			Lakkunda
344			Singaravalli
345			Kesagodu
346			Kogilamane
347			Chinnaonkkodu
348			Halla
349			Hirnvate
350			Intitholalu
351			Thagare
352			Bandahalli
353			Mugalehalli
354			Hosahali
355			Baaravalli
356			Irakaravali
357			Husur
358			Somanahalli
359			Chattanahalli
360			Bikkodu

1	2	3	4
361	Hassan	Belur Taluk	Pura
362			Kodaganaballi
363			Heedaravalli
364			Venkatpete
365			Kusavara
366			Kavan
367			Nidumanahalli
368			Vedarahalli
369			Mad-gatta
370			Ankihalli
371			Chowdanahalli
372			Chokkanahalli
373			Malur
374			Malahalli
375			Eachalahalli
376			Nagenahalli
377			Hiregodde
378			Chunchanahalli
379			Kattur
380			Dallamane
381			Devarakesavi
382			Adaganchanahalli
383			Kanadur
384			Bettadakesavi
385			Gangavara
386			Hanaganahalli
387			Narve
388			Sulagalalle
389			Balagali
390			Hakkivalli
391			Thalalu
392			Barasavalli
393			Kanguppa
394			Surakodu
395			Hosamane
396			Muddenahalli
397			Heggadihalli
398			Anugatta
399			Kumbarahalli
400			Balacakalli
401			Bommanahalli
402			Hiregarige
403			Chikkanahalli
404			Alur
405			Mustagadda
406			Malalhesavi
407			Kilngavalli
408			Umbalagadu
409			Bellavara

1	2	3	4
410	Hassan	Belur Taluk	Beilote
411			Arehalli
412			Kogodu
413			Kuppagadu
414			Lakkanannahalli
415			Nanjigundanahalli
416			Madenahalli
417			Kurahalli
418			Chikkanadi
419			Anjihalli
420			Hirenadi
421			Chikkanayakara
422			Doddasalavara
423			Lingapura
424			Kittavara
425			Narvajee
426			Kalegarja
427			Thimmadevanahalli
428			Uttalau
429			Gurgihalli
430			Koraggdde
431			Heggendde
432			Ryadani
433			Vasehalli
434			Bharur
435			Murahalli
436			Nallapura
437			Singuru-
438			Gouvanahalli
439			Nanjavara
440			Hosahalli
441			Nidagodu
442			Mallipanur
443	Chickmagalur	Chickmagalur	Hukkunda
444			Sirugunda
445			Dammanahalli
446			Mattavara
447			Indavara
448			Arlagupe
449			Allanipura
450			Hirekolale
451			Chikkolale
452			Hanahalli
453			Halasahalu
454			Dasarahalli
455			Bendiga
456			Mavinahalli
457			Arsiagunte
458			Hebbahalli

1	2	3	4
459	Chickmagalur	Chickmagalur	T ota sha li
460			K rdinalli Kaval
461			Hara d a u Estate
462			Hi gan halli
463			h uu uru
464			B ndenike
465			K ravina ane
466			Bil shal i
467			T iragana
468			Tagadur
469			Kenc se gahalli
470			Kalas pura
471			Jedamane
472			Jaga a
473			Goonkal'u
474			Sirava-e
475			H pl.
476			K a avinamane
477			K adala
478			Fugudevani
479			holagavi
480			Sa kari Dathatreya
481			M agiri
482			Attikiri
483			Thoa aribavakalu
484			Nagena alli
485			Malaga u
486			Gaiipuja
487			M lin hu Invatti
488			Kesavi
489			Mutt napura
490			Suragup e
491			Bisagaonamatta
492			Iram Dathatreyapeta
493			Pan ar valli
494			Vastara
495			Huluvalle
496			Thond ravalli
497			Mahaj ed
498			Al dundde
499			T oranamavu
500			Ganatn m-aw ra
501			Guddenhalli
502			A enahal i
503			Kuraal u
504			Vo age ahalli
505			Th dug a
506			Kandikere

1	2	3	4
507	Chickmagalur	Chikmagalur	Chittavalli
508			Halasamane
509			Kelagane
510			Vatiganahalli
511			Ranuse
512			Vijavalli
513			Heebadamane
514			Nerade
515			Basagallu
516			Annuru
517			Malimane
518			Kodavalli
519			Kodavalli
520			Thalihalla
521			Hanchiravalli
522			Hebole
523			Chagondanahalli
524			Koravaru
525			Jakkanahalli
526			Bagagodu
527			Hedadallu
528			Malimane Coffee Estate
529			Kuduvalli J. I.
530			Ador
531			Doddamanagaravalli
532			Machagondanahalli
533			Handi
534			Bannur
535			Havali
536			Donagudige
537			Kaavinahakkala
538			Kallehalli
539			Chikkanagaravalli
540			Yelagodige
541			Sathihalli
542			Kelaguru
543			Haleyuru
544			Bettadamalli
545			Makodu
546			Baguru
547			Byravalli
548			Magagalli
549			Kesamakki
550			Avalahi
551			Arenuru
552			Basaravalli
553			Hanagaravalli

1	2	3	4
554	Chickmagalur	Chickmagalur	Bagaarebeddalu
555			Idavalli
556			Dalimali
557			Pura
558			Anigarahalli
559			Devarahalli
560			Pagadane
561			Berangodu
562			Siraguru
563			Karguru
564			Havare
565			Basavura
566			Kadvanthi
567			Saragodu
568			Siragola
567			Devadana
570			Bovasa
571			Manabaru
572			Pillare
573			Hyarambi
574			Huggere
575			Bikkarni
576a	Chickmagalur	Kadur	Bikkari
576		Tarikere	Hogarhalli
577			Sankaragatta
578			Kallathipura
579			Udava
580			Kamanadurga
581			Pillenahalli
582			Gangura
583			Gensilakatte
584			Manchethevaru
5-5			Thanigeballu
586			Thigada
587			Ballavara
588			Nagaibattalu
589			Kallahalli
590		N. R. Pura	Beresuru
591			Balekoppa
592			Sarya
593			Anduru
594			Raburu
595			Hebbe
596			Biluvalli
597			Siragelale
598			Dandubittahara
599			Geraguddu

1	2	3	4
600		N. R. Pura	Nagalapura
601			Garikoppa
602			Balekoppa
603			Kadubinabailu
604			Heramballi
605			Susalavani
606			Nerekoppa
607			Lingapura
608			Simsa
609			Kanive
610			Konakere
611			Muttinakoppa
612			Kusaburu
613			Haligebailu
614			Varkate
615			Shalagane
616			Madaburu
617			B. Kanaburu
618			Shadagaiu
619			Yeechagere
620			Kamalapura
621			Gubbiga
622			Beluru
623			Malleshpura
624			Atburu
625			Thanodi
626			Pale
627			Devani
628			Magundi
629			Shankese
630			Madagone
631			Kanuru
632			Harahuri
633			Megaramakki
634			Haralakuppa
635			Karkeswara
636			Kolal
637			Magade
638			Halaguru
639			Bannuru
640			Karehadlu
641			Haladi

1	2	3	4
642	Chickmagalur	Koppal	Koppa
643			Molabarandur
644			Talamakki
645			Belagola
646			Gunavante
647			Hadada
648			Thanodi
649			Marithottalu
650			Nuggi
651			Talamakki Coffee Estate
652			Amadi Coffee Estate
653			Hariharapura
654			Kunimakki
655			Thamadahalli
656			Bintaravalli
657			Bandigadi
658			Jayapura
659			Heddese
660			Buvanakote
661			Belavinkodige
662			Agalagandi
663			Kulluru
664			Heramabapura
665			Kalasapura Coffee Estate
666			Byredevaru
667			Heggasaru
668			Kalluguddo
669			Hosuru
670			Devagodu
671			Huligaradi
672			Guddethota
673			Bettadakolalu
674			Hattikodige
675			Agalagandi
676			Yelemallu
677			Sthiruru
678			Honnagundi
679			Hirigaddo
680			Adigebailu
681			Haralane
682			Maragadde Bund Khan
683			Khan Estate
684			Bachalakhanu
685			Biligere
686			Kere

1	2	3	4
687	Chickamagalur	Koppal	Hudaba
688			Shakadamakki
689			Mavalli Estate
690			Neminar Estate
691		Sringeri	Sringeri
692			Honnavalli
693			Horur
694	Shimoga Dist.	Hosangerma	Tavalo
695		Tarthahalli	Singanabidare
696			Ubahalo
697			Shimdavasi
698			Kunda
699			Nantura
700	Chickmagalur	Mudigere	Mudigere
701			Devagoi
702			Hiravali
703			Karamballi
704			Chikkadahalli
705			Belagola
706			Kalasa
707			Nandipura
708			Lokavalli Estate
709			Karemakallu
710			Muthigeregadde
711			Kadavalli
712			Kongarodu
713			Kollibilu
714			Nadumanagadakallu
715			Kalase
716			Kunnahalli
717			Kavalote
718			Honnemahalli
719			Belagodu
720			Kuchinalli
721			Bilaramakki
723			Ahalakola
728			Kanagamakkalli
724			Hanjegu
725			Gaubalu
726			Kadavalli
727			Chikmagalur
728			Mudigere
729			Mallandur
730			Sarabalu
731			Pura
732			Sangamesvara
733			Lakkavalli

1	2	3	4
734	Chickmagalur	Mudigere	Kanjigegudde Coffee Estate
735			Kenjige Coffee Estate
736			Gonibidu
737			Jagannakere
738			Kodakulu
739			Nidagodu
740			Daradahalli
741			Houisalu
742			Chinnage
743			Hiresagara
744			Chamundagere
745			Kamaragodu
746			Ud se
747			Hanumasachalli
748			K. Kosaballi
749			Chikkodige
750			Heggaravalli
751			Chandarapura
752			Kanachura
753			Hanthuru
754			Anajuru
755			Angadi
756			Devarunda
757			Karnesahalli
758			Uggibelli
759			Hemmadi
760			Kiragunda
761			Harmakki
762			Bettadamane
763			Urabage
764			U. Hosahalli
765			Meck nagadde
766			H sakere
767			Halekere
768			Gowdahalli
769			Baidavalli
770			Byrapura
771			Kannehura Coffee Estate
772			Keshavalalu Coffee Estate
773			Halekere Coffee Estate
774			Bydavalli Coffee Estate
775			Byrapura Coffee Estate

1	2	3	4
776	Chickmagalur	Mudigere	Gonibidu Agrahara
777			Bannkallu
778			Guddanahalli
779			Turuvekere
780			Athigere
781			Pataduru
782			Heragudde
783			Thripura
784			Daraganu
785			Kogile
786			Koratagere
787			Bakki
788			Hesegodu
789			Kirnadi
790			Cutti
791			Heggadalu
792			Hosahalli
793			Kunduru
794			Koluru
795			Bagesagodu
796			Palguni
797			Ousanu
798			Kannagoro
799			Bankonahalli
800			Bettagere
801			B. Hosahalli
802			Haliko
803			Kogile Baramale Coffee Estate
804			Kodahalli
805			Baluru
806			Kelaguru
807			Meguru
808			Koradatalaguru
809			Maligabadu
810			Baligo
811			Durgadahalli
812			Madugundi
813			Kuve
814			Aramari Thalaguru
815			Maragallu
816			Nidavale
817			Sunkasale
818			Bilagale
819			Adiveni
820			Kallumane
821			Javali

1	2	3	4
822	Chickmagalur	Mudigere	Alikodige Coffee Estate
823			Balur Coffee Estate
824			Kelaguru coffee Estate
825			Abrakodige Coffee Estate
826			Halagadaka Coffee Estate
827			Mavinakere (Kalase)
828			Yadur
829			Hornadu
830			Hemmakki
831			Samse
832			Kelaguru
833			Thalakodi
834			Kelakodu
835			Merisonige
836			Thotheduru
837			Thangodi
838			Iddakoni
839			Abbinkodige
840	South Kanara	Sulya	Yenekal
841			Subramanya
842			Ainakidu
843			Guttigere
844			Devasbatta
845			Kalkur
846			U. Mithoor
847			Sullia
848			Ajjavara
849			Alethy
850			Markanja
851			N. Kemraje
852			Hadupady
853			Mandekolu
854			Aivernad
855			alsoon
856			Baland
857			Aryapu
858			Volamogru
859			Ariadka
860			Madnuru
861			Kolthige
862			Nettanigamudur
863			Padavannur
864			Badavannur
865			Ede

1	2	3	4
866	South Kanara	Puttur	Bellamapady
867			Panaje
868			Nidpalli
869			Uppinangady
870			Kadaba
871			Kodiambala
872			Bantva
873			Pachilady
874			Kaobar
875			Noojibalothila
876			Sutrupady
877			Senjilady
878			Perabe
879			Karthoor
880			Pallya
881			Jaisneranki
882			Ramakunja
883			Koila
884			Suvarcor
885			Punacappady
886			Paithady
887			Kumbla
888			Dharwaka
889			Kaimana
890			Seisudoor
891			Kaniyoor
892	Canara	Sunwarpet	Haraga
893			Thaberi
894			Kumarahalli
895			Belludchalli
896			Kothanahalli
897			Hosahalli
898			Yelkannur
899			Biligere
900			Kiragundur
901			Thalthoresettahalli
902			Kunahalli
903			Nagalkarkalli
904			Masagodu
905			Santholli

1	2	3	4
906	Coorg	Somwarpet	Ku-baru
907			Balag nda
908			Nagenuru
909			Kawa alli
910			Kib'etta
911			Hanaualli
912			Henagalli Sattalli
913			Nerug la'e
914			Doddaburu
915			Chichabura
916			Hithlu Makki
917			Areyur
918			Nerale
919			Be'uru Basavanahalli
920			Gangaur
921			Hajgunaballi
922			Kutti
923			Cholursettalli
924			Kal kandur
925			Honuboedu
926			Anigalale
927			Angura
928			Do ida holur
929			Abbia atta
930			Yedavara
931			Haraga
932			Hosavale
933			Ye nur
934			Chikatholur
935			Gouim ur
936			Hoen ihalli
937			Bannavara
938			Sangalihurapura
939			Ye unde
940			Nagavala
941			Bhuvanagala

1	2	3	4
942	Coorg	Somwarpet	Marikerebasavenaballi
943			Adinadur
944			Herer
945			Hadre
946			Atuyatbimangala
947			Sbirangala
948			Valanurtbayagathu
949			Sbirangala
950			Valanurthayagathu
951			7th Hosakote
952			Kudur Shettalli
953			Nelliahundikere
954			Nanjarayapatna
955			Thorenur
956			Basavanahalli
957			Bellary
958			Doddabettakere
959			Guddehosura
960			Kudiga
961			Bedatotta
962			Muthugoge
963			Godibasavanahalli
964			Rangasamudra
965			Nirupasehapura
966			Hosapatna
967			Baichanahalli
968			Madapatna
969			Huluse
970			Ramapura
971			Rasalapura
972			Chikkabettakerei
973			Hobbale
974			Manajur
975			Chikkanayakanahosa-halli
976			Nalluru
977			Kudlur
978			Managaloru
979			Marur
980			Chikkathur
981			Doddathur
982			Basavethur
983			Mullusoge
984			Gondibasavanahalli

1	2	3	4
985	Coorg	Somwarpet	Andagove
986			Nalkuruirangala
987			Kodagarahalli
988			Kumbur
989			Kambur
			Kanabailu,
990			Byehannahalli
991			Kirudale
992			Sirangahalli
963			Medur
994			Heroon
995			Anjanagere Betagori
996			Attur, Nallur
997			Garagandur
998			Khanadenkolli
999			Kadasidalli
1000			Geruvale
1001			Huluguli
1002			Naragavi
1003			Haleri (Kadakal)
1004			Kadkal (Kegedal)
1005			Muvatbekkalu
1006			Hadageri
1007			Higgodalu
1008			Animangala
1009			Hiralavalamuodi
1010			Koppathuru
1011			Channapur
1012			Hirikara
1013			Shivapura
1014			Doddamolathe
1015			Harohalli
1016			2nd Chawadlu
1017			Valagunda
1018			Sulimolathe
1019			Hithlukari
1020			Hungasekeri Hosaili
1021			Muthuru
1022			Gawdalli
1023			Ajjalli
1024			Haroballi
1025			Kugur
1026			Chicara
1027			Shivalli
1028			Kanaraballi
1029			Thalaguru

1	2	3	4
1030	Coorg	Tomwarpet	Harohalli
1031			Kengal i
1032			Hemmane
1033			Agali
1034			Honnadenahalli
1035			Hulugavanahalli
1036			Javinahalli
1037			Jogadalli
1038			Kirukonalli
1039			Seraganahalli
1039			Arkanahalli
1040			Gangavara
1041			Kan-arsvalli
1042			Seegemarur
1043			Dundalli
1044			Dandali
1045			Chevalli
1046			Halekura
1047			Doddekolathur
1048			Hettige-halli
1049			Appasetthalli
1050			Hrusuti
1051			Kasalapura
1052			Kyarabe
1053			Kaligula
1054			Gopalapura
1055			Hosakote
1056			Vadeyarapura
1057			Kambala
1058			Kathesura
1059			Seppugula'e
1060			Halasahi
1061			Kanive
1062			Basavanahalli
1063			Korekeri
1064			Araballi
1065			Hukkasunda
1066			Hunti
1067			Hasapaloru
1068			Kaiatte
1069			Karneunda
1070			Aturu
1071			Kallibilu
1072			Belgal le
1073			

1	2	3	
1074	Coorg	Somwarpet	Doddatti
1075			Kiyatbanahalli
1076			Avaridalu
1077			Hulikou
1078			Kelakodale
1079			Hampapura
1080			Benivarsantho
1081			Aralagnahalli
1082			Doddakamagalu
1083			Chikkanagalu
1084			Doddahalli
1085			Bellahalli
1086			Kanahalli
1087			Kajjur
1088			Chikkabolathuru
1089			Jabekodi
1090			Koolur
1091			Kakari
1092			Honnachodi
1093			Kasaralu
1094			Kaginahalli
1095			Kalase
1096			Gudigalale
1097			Nidiha
1098			Jagmarnalli
1099			Madare
1100			Dandahalli
1101			Hosahalli
1102			Kajjageri
1103			Doddabandave
1104			Bettiganahalli
1105			Honnahudi
1106			Basavanare
1107			Koginahalli
1108			Herbulase
1109			Hosapura
1110			Sampigedalu
1111			Doddakodali
			Sallalli
1112			Nandipura
1113			Chawdanahalli
1114			Harehosuru
1115			Harohalli

1	2	3	4
1116	Coorg	Somwarpet	Hosahalli
1117			Hosagutti
1118			Nidatha
1119			Jagalli
1120			Huluse
1121			Gundugadale
1122			Kudlur
1123			Lakkeri
1124			Keeoor
1125			Santhapura
1126			Hosalli
1127			Doddabilara
1128			Kiribilara
1129			Chennapura
1130			Mallathapura
1131			Hagawara
1132			Gadabanalli
1133			Amurthi
1134			Nakolagedu
1135			Baobalii
1136			Bettadalli
1137			Konagallu
1138			Menasa
1139			Bettadahalli
1140			Monewalli
1141			Heggala
1142			Santhaveri
1143			Gowdalli
1144			Basavanakoppa
1145			Bembalur
1146			Shiraba
1147			Chikkanahalli
1148			Yedehalli
1149			Hanagali
1150			Thalur
1150(a)			Nandipunda
1150(b)			Kurudevalli
1150(c)			Ramanahalli
1150(d)			Nandipura
1151			Mudarevalli
1152			Sirahalli

1	2	3	4
1153	Coorg	Somwarpet	Bageri
1154			Byadagatta
1155			Mallaballi
1156			Doddakunda
1157			Ramenahalli
1158			Siddapura
1159			Alur
1160			Kanthibasavaballi
1161			Niluvagilu
1162			Besus
1163			Chikkabandare
1164			2nd Kudlur
1165			Honnannkodu
1166			Bidare
1167			Suligapale
1168			Hommane
1169		Mercara	Hemarmbine
1170			Arecadu
1171			Anvathoklu
1172			Badaga
1173			Biligeri
1174			Galebudu
1175			Hodavada
1176			Hodduru
1177			Hosakeri
1178			Hakathuru
1179			Heravanadu
1180			Hebbatageri
1181			Hamiyala
1182			Ibbanavalavadi
1183			Kanthur
1184			Kiggalu
1185			Kumabaladalu
1186			Kadagadalu
1187			Kaggadlu
1188			Kerungéri
1189			Karavalabadagu
1190			Katakeri
1191			Kalur
1192			Kundalapadi Peraje
1193			Mutharmudi
1194			Maragodu
1195			Mekari

1	2	3	4
1196	Coorg	Mercara	Mâde
1197			Monnangeri
1198			Makkoder
1199			Mukkadlu
1200			Male Ohemba
1201			Sodlur Kattamadu
1202			Fampaje
1203			Arapattu
1204			Balamuri
1205			Ballau avati
1206			Petbu
1207			Cheluvara
1208			Kerindudadu
1209			Kolakeri
1210			Kunjile
1211			Koberi
1212			Karada
1213			Konageri
1214			Naladi
1215			Nap kkalu
1216			Nariyanadad
1217			Naji
1218			Perura
1219			Tavakapadi
1220			Naranandada
1221			Heemamadu
1222			Bettageri
1223			Kolagadalu
1224			Kundachari
12 5			Bergnor
12 6			Kargunda
1227			Badaga
1228			Bhagamandala
1229			Oberangala
1230			Kopati
1231			Singathur
1232			Thennimani
1233			Pattathoor
1234			Aiyanagers
12 6			Sannapulikota
1236			Karike

1	2	3	4
1237	Coorg	[illegible]	Arji
1238			Bo[illegible]lli
1 39			He[illegible]gin
1 40			Kon[illegible]ur
1241			K[illegible]ttur
1:42			[illegible]edarmalur
1 43			[illegible]ubbur
1244			[illegible]ima[illegible]gala
1245			Balegodu
1246			[illegible]ndaga
1247			Bittanagala
1248			[illegible]ggala
1249			[illegible]angalo
125[illegible]			Rudrapatpe
1:51			B[illegible]llamadki
12:2			Chembedelur
1253			Ar[illegible]eri
1254			Devan[illegible]gere
1255			Kadanagamenur
1:56			Bu[illegible]j[illegible]ngure
1257			Vaitinadi
1258			Nal[illegible]keri
1:59			Parangala
1:60			Amma[illegible]hi
1261			[illegible]ligudda
1:6[illegible]			Sy[illegible]anbade
1263			Bad[illegible]gab[illegible]ngala
1264			[illegible]s[illegible]akeri
1265			[illegible]nan[illegible]ay[illegible]nakots
1.66			Hosakote
12[illegible]7			Guby
1 68			Hanchiwadu
1269			Hal[illegible]da
1:70			H[illegible]uru
127!			Kalathamalladu
1272			Barmadu
1273			Kav di
1 7[illegible]			Kalakadab[illegible]goor
1275			[illegible]s[illegible]lomal[illegible]gala
1276			[illegible]ar[illegible]igodu
1277			Maldar
1278			Met[illegible]r Boorkeri
1279			Nalvathukkadu
12[illegible]0			Fulikeri
1281			[illegible]u[illegible]pura
128[illegible]			Yedur
1283			[illegible]
1284			B[illegible]lur

1	2	3	4
1285	Coorg	Virajpet	Parakatageri
1286			Beguru
1287			Belamaradur
1288			Hysodluru
1289			Haribara
1290			Badagarakeri
1291			Hadikeri
1292			Theralu
1293			Nalkeri
1294			Kurchi
1295			Manchalli
1296			Chikkamandu
1297			Kumurhuru
1298			Nemmala E & W
1299			Negalakeri
1300			Shettigere
1301			Badaga
1302			Katta Ex-Thaileru
1303			Nalkeri Forest
1304			Hathuru
1305			Arvathikkalu
1306			(Mugalagere)
1307			Kenda
1308			Kallandi Koyar
1309			Shettigere
1310			Hebbaley, Badagadu
1311			Mayamudi
1312			Kaikeri Attur
1313			Nukyasiddapuru
1314			Balale
1315			Baluro
1316			Devanuur
1317			Dannagala Rudrabanu
1318			Kirgur
1319			Nallur
1320			Nitturu
1321			Bekkegodlur
1322			Bessaguru
1323			Halligatta, Hudur
1324			Kanur Nidagunda
1325			Kotageri
1326			Mallur

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA,

Under Secretary to Government,
Revenue Department.

HOME SECRETARIAT

NOTIFICATION

Bangalore, dated 31st October 1967.

S. O. 2120.—In exercise of the powers conferred by rule 3 6 of the Mysore Motor Vehicles Rules 1963, and in supersession of Government Notification No. HD 121 TMR 65 dated 11th March 1967, the Government of Mysore being satisfied that the vehicle trailer combinations of the Mysore State Road Transport Corporation described in the schedule below can be used in a public place without any danger to the public safety, hereby exempts the said vehicle-trailer combinations from the provisions of rules, 219, 251 and 253 of the said rules for the purpose of plying them in Bangalore City area beyond the Corporation limits of Bangalore City and in the five routes *viz.*, (a) Hubli–Dharwar, (b) Bangalore–Kolar, (c) Bangalore–Mysore, (d) Bangalore–Chickballapur and (e) Bangalore–Doddaballapur.

SCHEDULE

	Registration No.	Engine No.	Chassis No.	Wheel Base	Overall length
	1	2	3	4	5
	MYF				
Vehicle	334	ALE–5747	ALC–4850	203"	28'–9"
	474	ALE–4367	5078	203"	28'–9"
Trailer	372		7660	190"	26'–3"
	486		7655	190"	26'–3" (excluding the draw bar).
7	330	C–34401	ALC–1618	203"	28'–9"
8	341	C–33223	ALC–5077	203"	28'–9"

1	2	3	4	5
Trailer				
7	601	... PAB-7879	190°	26′-3°
8	498	... PAB-7657	190°	26′-3°
Vehicle MYF				
	342	ALI-16258 ALE-5080	203°	28′-10°
	333	C-333227 ALC-4926	203°	28′-10°
Trailer	492	... PAB-7729	190°	26′-3°
	494	... PAB-7688	190°	26′-3°
Vehicle MYF				
	346	C-33219 AIC-5128	203°	28′-10°
	352	C-34403 ALC-5385	203°	28′-10°
Trailer	1587	... 3366	190°	26′-5°
	1577	... 3582	190°	29′-5° (excluding the draw bar).

[No. HD 19 TMA 66.]

By Order and in the name of the Governor of Mysore.

1386 C. RAJANNA, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 4th November 1967.

S.O. 2121.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of Government of India, accorded under sub-section (2) of Section 5 of the said Act the Government of Mysore are pleased to sanction, the grant to Shri A. S. Dudhya Naik of a Mining Lease for twenty years for Manganese in respect of the area of 10 acres (4-05 hectares) of land in Ittigehalli Village Shikaripur Taluk, Shimoga District, (S.Nos.) as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese, they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12 50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilo-metres.

(*l*) Government shall have the right of purchasing the Ore at current market rates.

(m) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(n) The area mentioned above is subject to verification after actual survey.

(o) The lease shall raise 1500 tons of ore during the first year.

[No. CI 184 EMO 67.]

By Order and in the name of the Governor of Mysore,

140 : N. NARAYANASWAMY, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 30th October/3rd November 1967.

S. O. 2122.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the Rural Arts College, Hunsbhavi to the Karnatak University, for teaching P.U.C. Arts and B. A. Part 1 course for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No ED 103 UAC 67.]

By Order and in the name of the Governor of Mysore,

1383 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated 30th October/3rd November 1967.

S. O. 2123.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S.D.E. Society's Arts and Science College, Sankeshwar to the Karnatak University for teaching Pre-University Arts and Science and B.A. Degree Part I and B.Sc. Degree Part I courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 102 UAC 67.]

By Order and in the name of the Governor of Mysore,

 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 3rd (4th November 1967.

S. O. 2124.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction fresh affiliation of the Milagres College, Kallianpur, South Kanara District to the Mysore University, for teaching the following courses:

(i) Pre-University Course (Arts).
History, Economics, Logic (one section of 72 Students).

(ii) Pre-University Course (Commerce).
History, Economics, Commerce (one section of 72 students).

(iii) B. A. Degree (First year),
History, Economics, (Majors), Political Science (Minor) one section of 48 students).

(iv) B. Com. Degree (First year) one section,

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee as also to the condition that the management must satisfy the University that it will maintain the college without Government grants and also that the college must satisfy the University before the next financial year about its financial position.

[No. ED 44 UAC 67.]

By Order and in the name of the Governor of Mysore,

1399 S. N. SREENATH, *Under Secretary.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION

Bangalore, dated 31st October 1967.

S. O. 2125.—WHEREAS by Government Notification No. Development Department No. 9 52 dated the 0th April 195 issued under sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act 19 9. (Bombay XXII of 193), the Government of Bombay was pleased to regulate the purchase and sale of cotton (ginned and unginned) groundnuts (shelled and unshelled), sesamum, caster seed safflower, kulthi and chillies in the area of Shiraha ti Taluks of Dharwar District and declare it to be market area;

AND WHEREAS by Government Notification No. PMA 9854, dated the 24th January 1955 issued under sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 19 9 (Bombay Act XXII of 19 9), the Government of Bombay was pleased to regulate the purchase and sale of Jowar and Wheat in addition to cotton (ginned and unginned) groundnut (shelled and unshelled) sesamum, caster seed, safflower, kulthi and chillies in the said market area;

AND WHEREAS it is now proposed to regulate the purchase and sale of cattle, sheep, goats, tur, turdal, gram, gramdal, mung, alsandi (Chola), math, nigerseed. corriander gul navani, onion and green chillies also in the said market area;

NOW, THEREFORE, in exercise of the powers conferred of sub-section (1) of Section 3 of the Bombay Agricultural Produce Markets Act 1939 (Bombay Act XXII of 1939), the Government of Mysore hereby declares its intention to regulate the purchase and sale of cattle, sheep, goats, tur turdal, gram, gramdal, mung, alsandi (Chola), math,

nigerseed, corriander, gul, navani, onion and green chillies in addition to cotton (ginned and unginned) gronndnut (shell-d and unshelled), sesamum, caster seed, safflower, kulthi, chillies, jowar and wheat in the said market area ;

Any objections or suggestion which may be received by the Secretary to Government, DHPC Department, Vidhana Soudha. Post Box 318, Bangalore on or before 18th December 1967 will be considered by Government.

[No. DPC 73 CMD 67.]

By Order and in the name of the Governor of Mysore,

1381 S. V. PRABHU, *Under Secy.*

NOTIFICATION.

Bangalore, dated 31st October 1957.

S. O. 2126.—WHEREAS by Government Notification, Revenue Department No. 3755/45, dated the 6th September 1947 issued under the provisions of sub-section (1) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of cotton (ginned and unginned), groundnut (shelled and unshelled) and safflower in the area of Dharwar Taluka and the eight villages of Navalgund Taluka of Dharwar District mentioned there in ;

AND WHEREAS by Government Notification No. APM 3452, dated 6th March 1953, issued under the provisions of sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939), the Government of Bombay was pleased to regulate the purchase and sale of gram, tur, mung, udid, linseed, caster, seed, and onion addition to cotton (ginned and unginned), groundnut (shelled and unshelled), safflower in the said Market area.

AND WHEREAS by Government Notification Development Department No. APM 3454 dated 6th March 1955, issued under the provisions of sub-section (4) of Section 4 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XXII of 1939) the Government of Bombay was pleased to regulate the purchase and sale of jowar, wheat, paddy (husked and unhusked) corrionder, and Cholo (Alsandi) in addition to cotton (ginned and unginned), groundnnt (shelled and unshelled), safflower, gram, tur, mung, udid linseed, caster seed, and onion in the said Market area ;

AND WHEREAS it is now proposed to regulate the purchase and sale of dry chillies also in the said Market area ; Now therefore in exercise of the powers conferred under

sub-section (1) of Section 3 of the Bombay Agricultural Produce Markets Act, 1939 (Bombay Act XX I of 1939), the Government of Mysore hereby declares its intension to regulate the purchase and sale of dry chillies in addition to cotton (ginned and unginned), groundnut (shelled and unshelled), saffower, gram tur, mung, udid, linseed, castor seed, onion, jowar, wheat, paddy (Lusked and unhusked) corriander, and chola (Alsandi) in the said Market area.

Any objections or suggestions which may be received by the Secretary to Government, DHPC Department, Vidhana Soudha, Post Box No. 315, Bangalore on or before 18th December 1967 will be considered by Government.

[No. DPC 53 CMD 67.]

By Order and in the name of the Governor of Mysore,

1382 S. V. PRABHU, *Under Secy.*

Education Secretariat

NOTIFICATION.

Bangalore, dated the 6th November 1967.

S. O. 2127.—In exercise of the powers conferred under sub-section 3) of Section 44-A of the Mysore University (Amendment) Act 1956, the Government of Mysore are pleased to sanction fresh affiliation of the first grade college of Arts and Science, Thirthahalli to the Mysore University, for teaching the following courses.—

(i) Pre-University (Arts):
History. Economics, Pol. Science.

(ii) Pre University (Science):
physics, Chemistry, Mathematics (One Section 60 students).

(iii) B.A. Degree (First Year):
History, Economics (Majors) Pol.Science (Minor)
Sociology, Economics (Majors) Pol. Science (Minor)
Kannada, Economics (Majors) Pol. Science (Minor)

(iv) B.Sc. Degree (First year):

Physics, Mathematics (Majors) Chemistry (Minor) 36 students.

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee as also to the condition that the management must satisfy the university that it will maintain the college without Government's grants and also that the college must satisfy the university before the next financial year about its financial position.

[No. ED 33 UAC 67.]

By Order and in the name of the Governor of Mysore,

S. N. Sreenath, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 7th November 1967.

S O. 2128.—In pursuance of sub-section (1) of Section 6 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act the Government of Mysore are pleased to sanction the grant to Messrs. K. L. Poddar and Sons (P) Ltd., of a Mining Lease for twenty years for Iron and Manganese ore in respect of the area of 200 acres (80.94 hectares) of land in Anmod Village, Supapetha Taluka, North Kanara District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(a) Mining Lease should be in respect of Iron and Manganese ores only. If other minerals are found in association with Iron and Manganese Ores they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Iron and Manganese ore he should do so only after the consent of Government is obtained in writing.

(b) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 in repspect of each mineral per hectare per annum, whichever is greater, shall be charged, provided that dead rent shall not be payable for the first year of the lease.

(c) Surface rent at the rate of Rs. 12-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(d) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(e) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(f) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(g) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(h) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the Ores collected during the Mining operations.

(i) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(j) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(k) The total area held by the lessee under mining leases including the present one shall not exceed 25.9 Sq. Kilometers.

(l) Government shall have the right of purchasing the Ore at current market rates.

(m) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(n) The area mentioned above is subject verification after actual survey ; and

(o) Subject to the condition that the lessees should give a minimum performance of 15,000 tonnes of ore per year on the block.

[No. Cl 132 EMI 67.]

By Order and in the name of the Governor of Mysore,

1423 N. NARAYANASWAMY, *Under Secy.*

REVENUE SECRETARIAT

CORRIGENDUM.

Bangalore, dated 6th November 1967.

Sub:—Exemption from payment of stamp duty and Registration fees in respect of the instruments—Armed personnel.

READ:—

Government Order No. RD 51 EST 67, dated 31st July 1967.

Government Notification No. RD 51 EST 67, dated 31st July 1967.

S. O. 2129.—For the words in the above Government Order "This order shall be in force up to and inclusive of 31st March 1968" the following shall be substituted:—

> "This order shall be in force for one year from 1st April 1967 up to and inclusive of 31st March 1968".

For the words in the above Notification "This Notification shall be in force up to and inclusive of 31st March, 1968" the following shall be substituted:—

> "This Notification shall be in force for one year from 1st April 1967 up to and inclusive of 31st March, 1968".

[No. RD 116 EST 67]

By Order and in the name of the Governor of Mysore,

1395 ... ., *Under Secy.*

REVENUE SECRETARIAT.

NOTIFICATION.

Bangalore, dated 6th November 1967.

S. O. 2130.—WHEREAS the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the Indian Administrative Service, it is expedient to appoint him as Special Tahsildar for a taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsilbar.

NOW, THEREFORE, in exercise of the powers conferred by sub-Section 1 of Section 12 of the Mysore Land Revune, Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Kolar taluk in Bangalore Division for a period of two months.

[No. RD 326 ASG 67.]

By Order and in the name of the Governor of Mysore,

1420

K. C. PUTTANARASIAH,
Under Secy.

2C_ii-5

HOME SECRETARIAT.

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2131.—In exercise of the powers conferred by, Rule 316 of the Mysore Motor Vehicles Rules, 1963, the Government of Mysore hereby exempt the trailer, belonging to Sri Maqsood Ali Khan, No. 31, Sankey Road, Bangalore,-1, assembled in a local workshop from the provisions of Rules 251 of the said rules, subject to the condition that the construction of the trailer complies with the other requirements of Chapter V of the Mysore Motor Vehicles Rules 1963 and the said trailer is solely used for the purpose of the registered owner.

[No. HD 246 TMA 67.]

By Order and in the name of the Governor of Mysore,

1490 C. RAJANNA, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 31st October 1967.

S O. 2132.—In Pursuance of Section 7 (2) of the Mines and Minerals (Regulation and Development) Act 1957 and as directed by the Government of India, under Rule 55 of the Mineral Concession Rules 1960 accorded under proviso to the said Section 7 (2) and Section 30 of the said Act, the Government of Mysore are pleased to renew the Prospecting Licence held by M/s K.L. Poddar & Sons (P) Ltd., referred to in the following Schedule for a further period of one year with effect from 3rd April 1967 subject to the terms and conditions stipulated in the original licence.

SCHEDULE

Number and date of the Government Order sanctioning the original Prospecting Licence and renewal of the same in favourof M/s K. L. Poddar & Sons (P) Ltd.	ORE	Details of the Area
1. CI 147 MPI 64, dated 5th December 1964 Licence executed on 3rd April 1965	Manganese and Iron Ore	1342 Acres in F.S. No. 1 2 and 3 of Atli village Supa Taluk, North Kanara Dist. as delineated in the Sketch attached to the Prospecting Licence Deed.
2. Renewed in Government Notification No. CI 37 EPI 66, dated 30th May 1966.		do
3. Renewed.		992 acres only out of 1342 acres originally sanctioned since 350 acres have been applied for Mining Lease on 14th June 1966

[No. CI 99 EPI 67.]

By Order and in the name of the Governor of Mysore,

1385 N. NARAYANASWAMY, *Under Secy*.

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S. O. 2133.—Whereas the Government of Mysore is of opinion that it is expedient and necessary in the public interest to add "The Manufacture, Marketing and Distribution of Petroleum Products" industry to the first schedule to the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 40 of the said Act, the Government of Mysore hereby directs that in the first Schedule to the said Act after item No 14 relating to "Mysore Fertilser Industry" the following item shall be added, namely :—

"15 Mys–The Manufacture, Marketing and Distribution of Petroleum Products Industry'.

[No. FCL 310 LLE 67.]

By Order and in the name of the Governor of Mysore,

1411 G. G. Purohit, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S. O. 2134 - WHEREAS the Government of Mysore is satisfied that there is a public emergency ;

NOW, THEREFORE, in exercise of the powers conferred by Section 5 of the Factories Act, 1948 (Central Act 63 of 1948), and in supersession of all previous notifications issued in this behalf, the Government of Mysore hereby exempts Indian Telephone Industries, Limited, Doddavaninagar, Bangalore for a period of 3 months from 11th November 1967, from the provisions of Sections, 51, 52, 53, 54 and 56 of the said Act and also from Section 79 of the said Act to the extent that leave may be refused where necessary in the exigencies of service, except in case of illness subject to the following conditions :—

(i) No worker shall be required or allowed to work over-time in a factory for more than 48 hours in a quarter ;

(ii) No worker who is sick or unwilling shall be required to work over-time in the Factory;

(iii) The workers deprived of the weekly holidays provided in Section 52 of the Factories Act, shall be allowed compensatory holiday in lieu of such weekly holidays lost ; and

(iv) A worker who has applied for leave with wages and has not been given such leave, shall be entitled to carry forward the unavailed leave without any limit.

[No. FCL 127 LEB 67.]

By Order and in the name of the Governor of Mysore,

1408 G. G. PUROHIT, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2135.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with Rule 63 of the Bombay Boiler Rules, 1924, the Government of Mysore hereby appoints Shri S. V. Papa Reddy B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of the Appellate Court under the said Act and Rule 64 of the said Rules, and constitutes the following panel of Assessors for the purpose of assisting in hearing the appeals under the said Act, in the said area for a period of two years, namely : –

1. Shri B. R. Narayana Iyengar, B.Sc., B.E., S.M. (M.I.T.), Ex-Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore–20.
2. Shri A. V. Raghavachar, B.E., A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.), A.M.I.E, Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore-11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore–4.

[No. FCL 190 LFB 66 (II).]

By Order and in the name of the Governor of Mysore,

R. ANANDAKRISHNA, *Secretary.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S. O. 2136.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with Rule 62 of the Hyderabad State Boiler and Machinery Rules, the Government of Mysore hereby appoints Shri S. V. Papa Reddy, B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of Appellate Court and under Rule 63 of the said Rules constitutes the following panel of Assessors for the purpose of assisting in hearing of appeals in the said area for a period of two years, namely:—

1. Shri B. R. Narayana Iyengar, B.Sc., B.E., S.M. (M.I.T.), Ex-Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore–20.
2. Shri A. V. Raghavachar, B.E. A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.) A.M.I.E., Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore–11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore–4.

[No. FCL 190 LFB 66 (III).]

By Order and in the name of the Governor of Mysore,

1403 R. ANANDAKRISHNA, *Secretary.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 25th October 1967.

S.O 2137.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Puttur Taluk of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as reserved forests ;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section ; and

(iii) appoints the District Forest Officer, Mangalore Division, Mangalore, to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara.
Name of the Taluk	...	Puttur Taluk
Name of the Village	...	Ballya
Name of the Block	...	Kunthur R.F. Extension
Survey Field No.	...	147
Extent	...	74.00 acres

Boundary Description

North :—Starting from station No. 34 a point situated at the cairo of Kunthur R.F. the demarcation line of the proposed block runs first in North-East direction to station No 35 a distance of 444 links. There it runs in almost South-East direction to station No 36 a distance of 409 links. From there it runs in Eastern direction to station No. 39 a distance of 920 links passing through the intermediate station No. 37 and 38. Thence is runs in South-East direction a distance of 875 links to reach the station No. 41 passing through intermediate station No 40. Thence it runs in almost South-East direction a distance of 1059 links to reach the station No. 44 passing through the intermediate stations 42 and 43. Th refrom the line runs in almost North-East direction a distance of 2053 links to reach the station No. 50 passing through the intermediate stations 45 to 49 Thence it runs in South-East direction to station No. 51 a distance of 340 links. Again it rmns in North-East direction to station No. 52 a distance of 815 links.

Bearings and distances from station to station are as follows :

Station Numbers From	To	Bearings in F.B.	Distances in links
34	35	80	444
35	36	156	409
36	37	98	211
37	38	112	298
38	39	93	411
39	40	190	446
40	41	191	429
41	42	144½	400
42	43	144½	383
43	44	110½	246
44	45	83½	174
45	46	74½	343
46	47	47	455
47	48	66	390
48	49	57½	455
49	50	75½	236
50	51	102½	340
51	52	61½	815

East.—Thence the line runs in South-West direction to station No. 53 a distance of 541 links. From there it runs in Southern direction to station No. 54 a distance of 398 links. Therefrom the line runs in almost in South-East direction a distance of 793 links to each the station No. 57 passing through intermediate stations 55 and 56. Thence it runs in North-East direction to station No. 58 a distance of 624 links. From there it runs in South-East direction to station No. 59 a distance of 284 links, Again it runs North-East direction to station No. 60 a distance of 261 links. Again it runs in South-East direction to station No. 61 a distance of 259 links. Therefrom the line runs in almost South West direction a distance of 879 links to reach the station No. 64 passing through the intermediate station No. 62 and 63. Thence it runs in almost South-East direction a distance of 885 links to reach the station No 63 passing through the intermediate stations 65 to 67. Therefrom it runs in almost Eastern direction a distance of 1613 links to reach the station No. 74 passing through the intermediate stations 69 to 73. Therefrom the line runs in almost Southern direction a distance of 1764 links to reach the station No. 83 passing through the intermediate station Nos. 75 to 82. Thence it runs in almost South-East direction a distance of 1528 links to reach the station 89 passing through the intermediate stations 84 to 88. From there it runs in almost North-East direction a distance of 608 links to reach the station No. 92 passing through the intermediate stations 90 and 91. Thence it runs in almost South East direction a distance of 510 links to reach the station No. 94 passing through the intermediate station No. 93. Again it runs in South-West direction a distance of 415 links to reach the station No 96 passing through the intermediate station No 95. From there it runs to Southern direction to station No. 97 a distance of 561 links.

Bearings and distances from station to station are as follows.—

Station Numbers From	To	Bearings in F.B	Distances in links
1	2	3	4
52	53	204	541
53	54	172½	398
54	55	118	324
55	56	86	164
56	57	104	310
57	58	20	624
58	59	144	284
59	60	71	261
60	61	142	259

1	2	3	4
61	62	195½	293
62	63	209½	292
63	64	214½	291
64	65	16 ½	356
65	66	152	200
66	67	1 2	175
67	68	122	154
68	69	85½	163
69	70	85½	300
70	71	73	197
71	72	83	208
72	73	97	374
73	74	93½	371
74	75	198	116
75	76	199	219
76	77	205	135
77	78	186	198
78	79	168½	208
79	80	184	214
80	81	181	231
81	82	206	139
82	83	193	274
83	84	143	270
84	85	153½	216
85	86	118½	361
86	87	114½	154
87	88	123½	300
88	89	123½	197
89	90	77½	200
90	91	77½	245
91	92	48	163
92	93	142	224
93	94	114	286
94	95	203	268
95	96	191½	147
96	97	170½	361

South.—Thence the demarcation line runs in South-West direction a distance of 358 links to reach the station No. 0 which is a point situated at the cairn No. 17 of the Kunthur R.F. From there it runs in North-West direction along the demacration line of old R.F. station No. 1 a distance of 686 links. From there it runs along the demarcation line of the old R.F. line in Souh-West direction a distance of 750 links

to reach the station No. 3 passing through the intermediate station No. 2. Therefrom the line runs along the old demarcation line in almost North-West direction a distance of 2727 links to reach the station No. 13 passing through the intermediate stations 4 to 12. Thence it continues along the old demarcation line in South-West direction a distance of 1014 links to reach the station No. 15 passing through the intermediate station No. 14. Therefrom the line continues in almost in North-West direction a distance of 2756 links to reach the station No. 21 passing through the intermediate station 16 to 20. From there it runs in western direction to station No. 22 a distance of 1185 links. Therefrom it continues in South-West direction a distance of 1239 links to reach station No. 24 passing through the intermediate station No. 23.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in F. B.	Distances in links
97	0	251	359
0	1	342	686
1	2	28[illegible]½	392
2	3	270½	358
3	4	288	2[illegible]8
4	5	302½	105
5	6	322	464
6	7	358	73
7	8	395	136
8	9	334	290
9	10	346½	140
10	11	346½	266
11	12	340	297
12	13	340	678
13	14	257	617
14	15	263	397
15	16	332	417
16	17	338½	384
17	18	334½	370
18	19	317	173
19	20	330½	597
20	21	303	815
21	22	266	1185
22	23	231½	890
23	24	231½	349

West:—Thence the demarcation line of the proposed block runs along the old demarcation line in almost North-West direction a distance of 3647 links to reach the station No. 34 (which is the starting point), passing through the intermediate stations 25 to 33.

Bearing and distances from station to station are as follows:—

Station From	Numbers To	Bearings in in F. B.	Distances in links
24	25	307½	517
25	26	309½	500
26	27	320	130
27	28	320	323
28	29	298½	270
29	30	306½	231
30	31	321½	274
31	32	309½	280
32	33	342½	399
33	34	346½	723
		— Starting point.	

Other privileges :—

1. Free removal of green leaves for *bona fide* use of ryots,
2. Free grazing of cattle of villages.
3. Free removal of dry fuel for *bona fide* use of villagers.

[No. AFD 180 FAF 66.]

By Order and in the name of the Governor of Mysore,

1341 M. A. MECCAI, *Under Secretary*

Printed by the Director of Printing, Stry. & Publications at the Govt. Press, Bl'lore.

2C (ii)—7

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE.

FOOD, CIVIL, SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute : Industrial Dispute between the Workmen and the Management of Mangalore Automobiles Ltd., Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following papers :

(1) Letter No. 1340/67-68 dated 28th October 1967, from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 28th October 1967.

Reference (ID) (LCH) No. 55 of 1967.

Present :

Sri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer*

Between :

The Workmen of Mangalore Automobiles Ltd., Attavar Road, Mangalore-1, represented by the Secretary, Kanara Motor and Engineering Workers' Union, Felix Pai Bazar, Mangalore ... *I Party*

and

The Management, Mangalore Automobile Ltd., Mangalore.

... *II Party*

This is a reference under section 10 (1)(c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their

Order No. LMA 865 LLD 67, dated 28th June 1967. The points of dispute referred for adjudication are as under :—

I. Are the management of Mangalore Automobile Ltd., Attavar Kadi, Mangalore-1 justified in terminating the services of the following workmen :—

(a) B. M. Thimmappa (bus conductor)

(b) T. Narayana Bhat (bus conductor)

(c) K. Padmanabhaya (bus conductor)

(d) U. Ramachandra Herala (bus conductor)

(e) G. H. Soans, Driver

(f) M. Monappa, Fitter

(g) K. Gopala Bangera, Turner

(h) Edward D'Souja, Blacksmith

(i) A. Shetna, Checking Inspector

(j) Aithappa Poojary, Attender.

II. If not, are the workmen entitled to reinstatement with back wages ?

III. Are the workmen entitled to the benefits mentioned in the annexure hereto in case they are to be retrenched ?

IV. Are all the workmen of the establishment entitled to bonus in according with the provisions of the Payment of Bonus Act, 1965 for the year 1965 ?

V. If not, to what other reliefs or quantum of bonus are the workmen entitled ?

2. The cause of the aggrieved workmen has been sponsored and espoused by the Kamara Motor and Engineering Workers' Union, Felix Pai Bazar, Mangalore represented by its Secretary, Sri H. Mahabal Rai, Vice President appeared for the I Party. There was no one present on behalf of the II Party. It had moved for an adjournment in a very callous manner without assigning any cogent reasons for seeking adjournments. Adjournments cannot be granted at the mere asking. Hence the application to grant adjournment was rejected. The points of disputes specified in the order of reference were treated as issues in the case. The I Party examined 7 witnesses and got marked 2 documents. The II Party had filed 7 documents. They were

read as exhibits in the case. The representative of the I Party stated that he does not press the claim of Sri K. Padmanabhaya, Sl No. (c), Sri U. Ramachandra Herala, Sl. No. (d) and Sri Edward D'Souza, Sl. No. (k).

3. The sum and substance of the Claim Statement, dated 28th July 1967 filed by the I Party is that the workmen referred to in the order of reference were the employees of the II Party. They had put in service with the II Party for varying periods as disclosed in the Claim Statement. The Management refused them work from 21st December 1966 without any prior notice or warning or assigning any reasons. When the I Party requested the management about the sudden cessation of work to their employees, they replied by their letter dated 30th December 1966 that on account of financial difficulties, the running of the buses has been stopped and the employees are permitted to join service elsewhere. The workmen have also not been given any bonus for the year 1965 66. They are entitled to bonus in accordance with the Bonus Act, 1965 for the year ending 31st March 1966 and proportionate bonus for the period from 1st April 1966 to 21st December 1966.

4. The Counter Statement, dated 11th August 1967 filed by the II Party is a woeful tale. It pleaded *inter alia* that the I Party workmen are not the members of the Kanara Motor and Engineering Workers' Union, Mangalore. Hence, this Court has no jurisdiction to entertain the dispute. The reference is belated and untenable. The claim of the workmen is highly speculative, fanciful, unreasonable, unfair, unjust and wrong. It maintained that owing to insufficient income and the other factors described in detail in the Counter Statement, the management closed the concern and the services of the workmen were dispensed with.

FINDINGS

5. The first point that would arise for determination is whether the present dispute is an industrial dispute. The I Party has examined seven of the aggrieved workmen. All of them have deposed in one voice that they are the members of the I Party union. I cannot find sufficient reason to disbelieve their sworn testimony. I hold that the present dispute is an industrial dispute and that this Court has jurisdiction to hear the reference.

6. The principal point that arises for determination is whether the management was justified in terminating the services of the workmen. From a perusal of the document Ex. W-1 a letter by the management addressed to the Secretary of the I Party Union, it transpires that consequent to the closure of the business, the management terminated the services of its workmen. I shall reproduce here a part of the letter. It reads thus:

> "A notice was put up on the Notice Board when all the Buses came to a standstill. The sub-ordinates have been permitted to join services elsewhere since all Buses have stopped and since there is no income and since there are no funds They are at liberty to come or may come when Buses resume service. This is the best the Managemen can do."

This document, more than anything else, shows the sincerity of purpose of the management. The workmen have made a grievance that they were not served with individual notices terminating their services. Even the wages of previous four months were in arrears. Notice pay and retrenchment compensation was not paid to them and that the manager is responsible for the bad financial condition of the II Party. It is not here for me to apportion blame to any one individual. But the truth seems to me otherwise. The management has filed certified copies of the awards of the previous industrial disputes between the management and the workmen. From this, it is clear that the management was rife with internal dissension and industrial disputes. It appears to have been running under loss as far back as 1963. In Reference (ID) (LCH) No. 30 of 1963 an award has been passed as per Ex. M. 1. In paragraph 2 of the award has been stated:

> "When the case was taken up for hearing today, the Ist Party filed a memorandum stating that since the II Party company is likely to be wound up and liquidated soon, the I Party is not pressing the case and that the dispute may be dismissed as not pressed."

In the award Ex. M-2 passed in Reference (ID) (LCH) No. 39 of 1968 it has been stated:

> "Today, when the case was taken up for hearing, the Secretary of the I Party union filed a memorandum stating that since the I Party workmen have come to know that the II Party concern is going into liquidation

consequent upon severe financial crisis and will therefore not be able to meet their demands, they do not press their claim for bonus and that an award should be passed accordingly."

In Ex. M-4, an award in Industrial Dispute No. 15 of 1968 it has been stated that Shri T. P. Rao, the learned representative of the first party present a memo representing to the Additional Tribunal that the dispute referred to above be dismissed with costs as not pressed. In Ex. M-7 an award in Reference No. 54 of 1966 it has been stated :

"When the case was called on for hearing at Mangalore camp on 19th November 1968, Sri Govindan for the first party submitted a memo to the effect that there is no available surplus to pay bonus as per the company's balance sheets of the respective years and hence the first party does not desire to press the demands for bonus and therefore the reference may be rejected."

All these go to show that the management has been in financial doldrums since a very long time. Ultimately, it decided to close down the business from 21st December 1968 and put up notice accordingly. Section 25 FFF lays down :

Where an undertaking is closed down for any reason whatsoever, every workmen who has been in continuous service for not less than one year in that undertaking immediately before the closure shall subject to the provisions of sub section (2) be entitled to notice and compensation in accordance with the provisi n of Section 25 F as if the workmen had been retrenched provided that where the undertaking is closed down on account of unavoidable circumstances beyond the control of the employer, the compensation to be paid to the workman under clause (b, of Section 25 F shall not exceed his average pay for three months.

In the instant case the explanation to Section 25 FFF does not apply because from the counter statement it is clear that the undertaking has been closed down not merely due to financial difficulties but due to a variety of causes, one of them being that the management was confronted with heavy litigation in the type of industrial disputes. As per the claim statement M. Thimmappa has put in 21 years service, T. Narayan that years, K. M. Soans 8 years, M. Mogappa 13 years, K. Gopala

Bingera 16 years, A. Sheena 26 years and Aithappa Poojary 4 years of service with the management. The workmen have deposed to their length of service. There is no rebuttal on oath by the management. I hold that the above described seven workmen are entitled to closure compensation equivalent to three months average pay of each individual. They are not entitled to any bonus as admittedly the concern has gone in liquidation. The points of dispute are answered accordingly.

AWARD.

The Management of Mangalore Automobile Ltd., Attavar Road, Mangalore was justified in terminating the services of all the workmen mentioned in the order of reference. B. M. Thimmappa, T. Narayana Bhat, G. H. Soans, M. Monappa, K. Gopala Bungera, A. Sheena and Aithappa Poojary are entitled to closure compensation equivalent to their average pay for three months. They are not entitled to any other relief. No order as to costs.

Place: Hubli
Dated: 28-10-1967.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ANNEXURE

Reference (ID (LCH) No. 55/1967.

Witnesses examined for I Party

W.W. 1 A. Sheena s/o A. Ananda
W.W. 2 B. M. Chinnappa s/o M. Manjunath
W.W. 3 T Narayana Bhat s/o T Krishna Rao
W.W. 4 G. H. Soans s/o Sadanandu Soans
W.W. 5 K. Gopal Bangera
W.W 6 M. Monappa s/o M. Babu
W.W. 7 K. Isha Poojari s/o K. Thayappa.

Witnesses examined for II Party

Nil

Documents marked for I Party

Exhibits :

W—1 Letter dated 30th December 1966 from II Party to I Party.

W—2 Application dated 22nd December 1966 authorising the I Party union to conduct the case for workmen.

Documents marked for II Party

M—1 True copy of award passed in Reference (ID) (LCH) No. 80/1963, by Labour Court, Hubli.

M—2 True copy of award passed in Reference (ID) (LCH) No. 39/1963 by Labour Court, Hubli.

M—3 True copy of award passed in Complaint No. 19 of 1962 in I. D. No. 6 of 1962, by I. T Bangalore.

M—4 True copy of award passed in Industrial dispute No. 15/1963 by Additional I. T Bangalore.

M—5 True copy of Order passed in Applications (LCH) Nos. 147, 148 and 149/1964 by Labour Court, Hubli.

M—6 True copy of Award passed in Reference (ID) (LCH) No. 18/1966 by Labour Court, Hubli.

M—7 True copy of award passed in Ref. No. 54/1966 by Labour Court, Bangalore.

SYED AZIZUDDIN AHMED,
Presiding Officer.
Labour Court, Hubli.

Place : Hubli
Date : 29-10-1967

ORDER

Bangalore dated the 3rd November 1967.

S. O. 2138.—WHEREAS by State Government Order No. FCL. 363 LLD 67, dated 28th June 1967 the Industrial Dispute between the workmen and the Management of Mangalore Automobiles Ltd., Mangalore, was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 363 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT.
(LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Coronation Tile Works, Mangalore.

Award of the Labour Court, Hubli,—Published.

Read the following papers :—

(1) Letter No. 1533/67-68, dated 25th October 1967, from Shri Syed Azizuddin Ahamed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated 25th October 1967.

Reference.

(ID) (LCH) No. 62 of 1967.

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L. — Presiding Officer.

Between

The Workmen of M/s. Coronation Tile Works, Bolar. Mangalore represented by The Secretary, Dakshina Kannada Hanchina Kelasagararu Sangha, New Market Buildings, Mangalore-1 ... ... *I Party.*

and

The Management, of Coronation Tile Works Bolar, Mangalore ... ... *II Party*

This is a reference under Section 10 (1) (c) of the Industrial Disputes Act, 1947, made by the Government of Mysore, in their Order No. LMA 433 LLD 67, dated 29th July 1967. The Points of dispute referred for adjudication are as under:—

I. Is the Management of M/s. Coronation Tile Works, Bolar, Mangalore justified in refusing employment to

Sri Joseph Braggs, Engine Driver, with effect from 15th March 1967 ?

II. If not, to what relief is the worker entitled ?

2. The cause of the aggrieved workman has been sponsored and espoused by the Dakshina Kannada Hanchina Kelasagarara Sangha, Mangalore-1 represented by its Secretary, Sri H Umanath Nayak appeared for the I Party and the Second was represented by its Manager Sri J D Silva. In response to the notices issued by the Court, the I Party filed its Claim Statement, dated 17th August 1967. The II Party did not file any counter statement.

3. When the case was taken up for hearing at Mangalore camp on 18th October 1967, the parties having compromised the dispute, filed a joint memorandum of settlement. The same was duly verified by me. As per the joint memo of settlement, the re usul of employment to Sri Joseph Braggs, the aggrieved workman has been treated as resignation from service and he has been paid a sum of Rs. 700 in full and final settlement of all his claims.

AWARD

An award is passed in terms of the joint memo of settlement, dated 18th October 1967 marked Annexure A. The same be read as part of the award. The parties shall bear their own costs.

Place : Hubli
Date : 25-10-1967

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ANNEXURE-A

BEFORE THE HONOURABLE LABOUR COUBT, HUBLI.

Camp: Mangalore

REF. R.C. 62(LCH) OF 1967

Between:

The Workmen of M/s Coronation Tile Works, Bolar, Mangalore, represented by the Secretary, Dak-hina Kannada Hanchina Kelasagararu Sangha, New Market Building, Mangalore ... ... *I Party.*

and

The Management of M/s. Coronation Tile Works, Bolar Mangalore ... ... *II Party.*

In the matter of dispute between the workmen of M/s. Coronation Tile Works, Bolar, Mangalore.

The parties above named beg to state as follows:

The parties having discussed the above matter have come to an amicable settlement in the terms stated below.—

1. The refusal of employment to the worker Sri Joseph Braggs may be treated as resignation of the worker from this Date.

2. The second party accepts the resignation of the said Worker and agrees to pay in lieu of his services earned wages, leave wages as per Factories Act and Bonus a sum of Rupees Seven hundred only in full and final settlement of all his claims.

An award may be passed in the above terms

Mangalore dated the 18th day of October, 1967.

Sd/-
I Party

Sd/-
II Party

Sri H. Umanath Nayak, representative of the I Party Union and Sri J. D'Silva, Manager of the II Party admitted.

fore me the execution of this Memorandum of Settlement. ence verified.

Sd: (H. Umanath Nayak)
I Party

Sd: (J. D'Silva)
II Party

(Sd.)
Presiding Officer,
Labour Court, Hubli.
13-10-1967

Place.—Hubli

—25-10-1967.

SYED AKRUDDIN AHMED,
Presiding Officer, Labour Court, Hubli.

ORDER.

Bangalore, dated 6th November 1967.

S.O. 2139.—WHEREAS by State Government Order No. LMA 433 LLD 67, dated 29th July 1967, the Industrial Dispute between the orkmen and the Management of Coronation Tile Works, Mangalore was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State verament its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said Award as above, in the *Mysore Gazette*.

[No. FOL 433 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PRABHU, *Under Secy.*

Food, Supplies and Labour Secretariat

NOTIFICATION.

Bangalore dated 7th November 1957.

S. O. 2140.—In exercise of the powers conferred by Section 20 of the Indian Boilers Act, 1923 read with rule 12 the Mysore Boiler Rules, 1956, the Government of Mysore hereby appoints Shri S. V. Papa Reddy, B.A., LL.B., Secretary to Government, Law Department, Mysore Government Secretariat, to be the President of the Appellate Authority and constitutes the following panel of Assessors to assist the said President, in the said area for a period of two years, namely:—

1. Shri B. R. Narayana Iyengar, B.Sc., B.E., S.M.(M.I.T.), Ex-Principal, Government College of Engineering, 175, 1st Main Road, Seshadripuram, Bangalore-20.
2. Shri A. V. Raghavachar, B.E., A.M.I.E., Retired Deputy Chief Inspector of Factories and Boilers, Madras.
3. Shri D. Narayanaswamy Chetty, B.E. (Mech.), A.M.I.E., Ex-Secretary, Central Boilers Board, Jayanagar, Bangalore-11.
4. Shri C. V. Kamath, B.A., B.E., Retired Chief Inspector of Factories and Boilers, Andhra Pradesh, C/o Konchady Oil Factory, Mangalore-4.

[No. FOL 190 LFB 66 (1).]

By Order and in the name of the Governor of Mysore,

R. Anandakrishna, *Secretary to Government Food, Civil Supplies, & Labour Deptt.*

Home Secretariat.

NOTIFICATION.

Bangalore dated 4th November 1967.

S. O. 2141.—In exercise of the powers conferred by sub-section 1) of Section 16 of the Mysore Motor Vehicles Taxation Act, 1957 (Mysore Act 35 of 1957), the Government of Mysore being of the opinion that it is necessary in public interest so to do, hereby reduces the tax payable under the said Act in respect of stage carriages plying on the route specified in Column 1) of the table below to the extent and for the period specified in Columns 2 and 3 respectively of the table.

TABLE

	Tax payable per quarter		
Route	Per seated passenger Rs.	per standing passenger Rs.	Period
1	2		3
Raichur to Gadwal, via Innatapur, Jambaldinni Devasella, Ghat, Alur and Darur.	22-50		For the period from 1-4-1962 to 31-12-1967 or till the road is taken over by P. W. D. whichever is earlier.

[No. HD 60 TMT 67.]

By Order and in the name of the Governor of Mysore,

1397 C. Rajanna, *Under Secretary.*

NOTIFICATION

Bangalore, dated 4th November 1967.

S. O. 2142.—In exercise of the powers conferred by sub-section (1) of section 16 of the Mysore Motor Vehicles Taxation Act, 1957 (Mysore Act 35 of 1957), the Government of Mysore, being of the opinion that it is necessary in public interest so to do, hereby reduces the tax payable under the said Act in respect of stage carriages plying on the route specified in Column (1) of the Table below to the extent and for the period specified in Columns (2) and (3) respectively of the said table.

TABLE

Route	Tax payable per quarter: For seated passenger	Per standing passenger	Period
Bhalki to Chigupa via Homnabad and Muldhankhere.	7-50	3-75	For a period of two years from 27-3-1966 or till the road is taken over by P. W. D. whichever is earlier.

[No. HD 71 TMT 67.]

By Order and in the name of the Governor of Mysore,

1938 C. RAJANNA, *Under Secretary*

NOTIFICATION.

Bangalore dated the 4th November 1967.

S O. 2143.—In exercise of the powers conferred by rule 341 of the Mysore Motor Vehicles Rules, 1963, and in supersession of Government Notification No. HD 65 TMA 65, dated 18th November 1965, the Government of Mysore hereby exempts the three axled 12 K. L. capacity oil Taukers described in the schedule below of M/s Esso Standard Eastern Inc. Bangalore-1, with a gross laden weight of 17.915 metric tons from the provisions of rules 318 and 319 of the said rules for purposes of plying them on National and State High Ways in the State of Mysore, subject to the following conditions namely :—

(i) The G. L. W. of each of the vehicles shall not exceed 17.915 Metric tons, and the load coming on any one axle shall not exceed 8 tons.

(ii) The Government will not be responsible for any damage that may be sustained either by the vehicle or its contents and or occupants consequent on its movement.

(iii) The Vehicle shall not be used on such of those weak road structures for which load restriction less the permitted G. L. W. and axle load have been impose and also on other stretches of roads or road structures which have been prohibited otherwise.

(iv) The maximum speed shall not exceed 15 miles per hour on roads and 5 miles per hour on bridges C. D. works, Ghat roads and also while negotiating curves.

(v) The firm shall be liable for damage caused to the road structures either directly or indirectly consequent on the movement of the said vehicles as per the assessment of the concerned Executive Engineers.

SCHEDULE.

	I–*Truck*	II–*Truck*	III–*Truck*	IV–*Truck*
Make.	T.M.B.	T.M.B.	T.M.B.	T.M.B.
Model	L–312/42	L–312/412	L–312/412	L–312/412
Year of Manufacturing	1963	1963	1963	1963
Engine No.	312–915–460–0765	312–915–361–0306	312–915–460–0771	312–915–460–6761
Chassis No	312–057–460–0889	312–057–360–9999	312–057–460–0891	312–057–460–0886

[No. HD 197 TMA 67]

By Order and in the name of the Governor of Mysore,

1406 C. RAJANNA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November, 1967

S. O. 2144.—Whereas information with respect to or the destruction or obstruction of or interference with the places specified in the schedule would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923) read with the Notification No. 21/20/62-Poll (I), dated the 4th May 1963 of the Government of India, Ministry of Home Affairs, the Government of Mysore hereby declares the said places to be Prohibited Places for the purposes of the said Act.

SCHEDULE

Name of the place 1	*Locality* 2	*Boundary* 3
New Government Electric Factory Ltd. consisting of:— (a) An area of 61 acres within the perimeter wall including Motor Factory, Switchgear Factory, Transformer Factory, General Stores, 11 K. V. Main Receiving Station, 2 Bore Wells; and Cycle-Sheds.	Byappanahalli, Old Madras Road, Bangalore-1.	*South.*—Facing Byappanahalli Railway Station. *North.*—Training Battalion, Madras Engineering Group. *West.*—Facing Railway Marshalling Yard. *East.*—S.No. 15 of Bannerganahalli.
(b) Pumphouse with Bore Well No. 2		Northern side of the Factory perimeter wall facing the Tank Gate.

1	2	3
	(c) Bore Well No. 4.	South-East of the Factory perimeter wall next to Madras Broad-gauge Railway line in S. No. 15, Bennigunahalli.
	(d) Bore Well No. 5.	North-East of the Factory next to Krishnapalya village.

[No. HD 238 SST 67]

By Order and in the name of the Governor of Mysore,

N. LAKSHMAN RAU,
Secretary to Government,
Home Department.

1407

NOTIFICATION.

Bangalore, dated 6th November 1967.

S. O. 2145.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 44 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), read with rule 88 of the Mysore Motor Vehicles Rules, 1963 and in supersession of all the previous notifications on the subject, the Government of Mysore hereby reconstitutes the Regional Transport Authority, Bijapur specified in column 1 of the Schedule to this notification consisting of the official and non-official members specified in the corresponding entry in column 2 thereof to exercise and discharge throughout the said area the powers and functions conferred by or under chapter IV of the said Act :—

SCHEDULE

1	2	3
Bijapur District	(1) The Deputy Commissioner, Bijapur District.	Official Member
	(2) The Executive Engineer, Public Works Department, Bijapur District.	"
	(3) The Superintendent of Police, Bijapur District	"
	(4) Sri K.B. Chowdhari Municipal Councillor, Bijapur	Non-Official Member

The Deputy Commissioner, Bijapur shall be the Chairman of the said Regional Transport Authority and the Regional Transport Officer, Bijapur shall be the *Ex-Officio* Secretary to the Regional Transport Authority, Bijapur.

[No. HD 227 TMA 66.]

By Order and in the name of the Governor of Mysore,

1424 C. RAJANNA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 10th November 1967.

S. O. 2146.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Mysore Home Guards Act 1962, (Mysore Act 35 of 1962), the Government of Mysore hereby appoints the persons mentioned in Column 2 of the table below as Commandants, Home Guards, for the period up to 31st March 1968 from the dates specified against them in Column (3), with jurisdiction over the areas specified in corresponding entry in Col. 4 thereof :—

TABLE

Sl. No.	Name of person	Date of appointment	Area
1	2	3	4
1.	Shri K. Anantharamaiah, Lawyer, Krishnarajapuram Extension, Hassan.	17-12-1967	Hassan District.
	Shri Homi Mulk Irani, Anand Bhavan, Durga Road, Gulbarga.	27-12-1967	Gulbarga District.

[No. HD 162 SHG 67.]

By Order and in the name of the Governor of Mysore,

1428 G. S. TELANG, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 28th October 1967.

S. O. 2147.—In exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with S.O. No. 1844, dated the 18th June 1966, issued by the Government of India in the Ministry of Commerce, the Government of Mysore hereby makes the the following Order, namely :—

1. Title extent and commencement —(1) This Order may be called the Mysore Iron and Steel Control Order, 1967.

(ii) It extends to the whole of the State of Mysre.

(iii) It shall come into force on the date of the publication of this order in the *Mysore Gazette*.

2. Definition.—In this order unless the context otherwise requires :—

(i) 'Dealer' means any person who stocks and sells Iron and Steel.

(ii) 'Enforcement Officer' means any person appointed by the Controller of Civil Supplies and Iron and Steel in Mysore, Bangalore, as Enforcement Officer, in respect of such area as may be specified by him, and where no person is appionted for any area, the Inspector and/or the Assistant Inspector of Civil Supplies and Iron and Steel, having jurisdiction over that area.

(iii) 'Iron and Steel' means all or any of the categories of iron and steel, specified in the schedule to this order.

3. Dealer to issue receipt or invoice :—Every dealer shall, in respect of every sale of Iron and Steel, issue a

receipt or invoice showing his own name and address, the name and address of the buyer, the date of sale, the quantity of Iron and Steel sold, the price per unit, and the total amount charged, and shall keep a duplicate of the same with him available for inspection.

4. Display of stocks and prices.—(1) Every Dealear shall exhibit at the entrance or in some other prominent part of the place of his business, on a special board to be maintained for this purpose, the selling prices of Iron and Steel.

(2) Every dealer shall also exhibit at the entrance or in some other prominent part of the place of his business a statement indicating the stock of Iron and Steel on hand available for sale at the commencement of each working day.

(3) The price list and the statement of stock referred to in sub-clauses (1) and (2) shall be in English or Kannada or in any other language understood by the majority of the persons residing in the locality concerned and the price of iron and steel shall be specified in the international form of Indian numerals.

(4) Subject to the provisions of sub-clause (3) dealer may maintain and exhibit the price list and the statement of stocks in more than one language or in any language as he may desire.

5. Dealer to give facilities for inspection.—Every dealer shall give all facilities at all reasonable times to any Enforcement Officer for inspection of his stocks and accounts at any shop, godown or other places used by him for the storage, sale or purchase of Iron and Steel.

6. Power of entry search and seizure.—(1) Any Enforcement Officer, with a view to securing compliance with this Order, or to satisfying himself that the provisions of this order have not been contravened—

(*a*) enter into, or search any premises, vehicles, vessels or other conveyance in which he has

reason to believe that a contravention of this Order has been, is being or is about to be committed;

(*b*) seize the stocks of Iron and Steel along with packages, coverings or receptacles in which such Iron and Steel is found, and the animals, vehicles, vessels or other conveyances used in carrying such Iron and Steel in respect of which the Officer has reason to believe that a contravention of this Order has been, is being, or is about to be committed.

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to searoh and seizure shall, so far as may be apply to searches and seizures under this clause.

SCHEDULE

1. Galvanised Plain Sheets.
2. Galvanised Corrugated Sheets.
3. Black Corrugated Sheets.
4. Black Plain sheets 18 gauge and thinner than 18 gauge.
5. M. S. Plates below 8 mm. thickness.

[No. CI 53 BCS 6.7]

By Order and in the name of the Governor of Mysore,

1396

D. J. BALARAJ,
Secretary to Government,
Commerce and Industries Department.

NOTIFICATION.

Bangalore, dated 8th November 1967.

S.O. 2148.—In exercise of the powers conferred under Rule 31 (1) of the Mineral Concession Rules, 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 69 EMI 66, dated 29th September 1966, sanctioning a Mining Lease for Manganese and Iron ore in respect of the area of 140 acres of land in Part of F. S. No. 63 of Apeli village, Supa Taluk, North Kanara District in favour of Messrs. United Mining and Engineering Corporation, Hospet, as the grantee failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 38 EMI 67.]

By Order and in the name of the Governor of Mysore,

1429 N. NARAYANASWAMY, *Under Secy.*

CORRIGENDUM

Bangalore, dated 28th October 1967.

S.O. 2149.—A Statement showing the corrections made to Government Order No. 195 TCO 1966, dated 15th/21st September, 1966 is given below :—

As per Confirmed Scheme									As per Proposed Variation							
Khata No.	Survey No.	Hissa No.	Area			Assessment			Valuation	Block No.	S. No.	H. No.	Area			Assessment			Valuation	Block No.
1	2	3	4			5			6	7	8	9	10			11			12	13
11	21	2	R	1	04	9	5	0	Rs. 1100 From K. No. 12	12	21	8A	R	1	4	0	2	8	0	Retained	13
12	xx 18	...	R	xx 8	22	10	0	0	Retained	xx ...	18		R	xx 8	22	10	0	0	xx Retained.	
	21	8A	R	1	04				Rs. 1100 Form K No. 11		21	2	R	1	04	8	5	0	Retained.	
	21	8B	R	1	01	2	6	0	Retained		21	8B	R	1	01	2	6	0	Retained	
	21	4	R	0	28	1	1	0	Retained	...	21	4	R	0	28	1	1	0	Retained	
Total of the Block			R	6	15	16	15	0		18	Total of the block		R	6	15	16	12	0		18
29	...		D	0	25	0	4	0	Retained	21	29	...	D	0	25	0	4	0	Retained	21
19	2		D R	0 1	03 00	1	2	0	Retained	15	19	2	D R	0 1	03 00	1	2	0	Retained	15
				1	03									1	03					

[No. RD 229 TCO 67.]

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 7th November 1967.

S.O. 2150.—WHEREAS the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the Indian Administrative Service, it is expedient to appoint him as Special Tahsildar for a Taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsildar.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 12 of the Mysore Land Revenue Act 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Mangalore taluk in Mysore Division for a period of two months.

[No. RD 327 ASG 67.]

By Order and in the name of the Governor of Mysore,

1410 K.C. PUTTANARASIAH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 9th November 1967.

S. O. 2151—WHEREAS the Government of Mysore in accordance with the provisions of Section 6 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964) published a notice of proposal in S.O. 4459, dated the 5th May 1966, in part IV-Section 2-C(ii) of the *Mysore Gazette*, dated the 12th May 1966, regarding alteration of the limits of Gulbarga division, Belgaum division, Raichur District, Dharwar District, Kushtagi Taluk of Raichur District and Ron Taluk of Dharwar District, Gudadur circle of Kushtagi Taluk and Ron Circle of Ron Taluk, by excluding the villages of Tallihal and Honniganur from the limits of Gudadur circle of Kushtagi Taluk and by including the said villages of Thallihal and Hounigánur within the limits of Ron Circle of Ron Taluk.

AND WHEREAS no objections have been received by the Government of Mysore in respect of the said proposal.

NOW, THEREFORE, in exercise of the powers conferred by Section (4) of the Mysore Land Revenue Act, 1964 (Mysore Act No. 12 of 1964), the Government of Mysore hereby alters the limits of Gulbarga Division, Belgaum division, Raichur District, Dharwar District, Kushtagi taluk of Raichur District and Ron Taluk of Dharwar District, Gudadur circle of Kushtagi Taluk and Ron circle of Ron Taluk by excluding the villages of Tallihal and Honniganur from the limits of Gudadur circle of Kushtagi taluk and by including the said villages of Tallihal and Honniganur within the limits of Ron Circle of Ron Taluk with effect from 1st December 1967.

[No RD 17 LRD 63.]

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA *Under Secy.*

1422

Education Secretariat.

NOTIFICATION.

Bangalore, dated 7th—9th November 1967.

S. O. 2152.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949) the Government of Mysore are pleased to sanction continuation of affiliation of the Vijayanagar College, Hospet, to the Karnatak University, for teaching Pre-University Arts and extension of affiliation for teaching :—

(i) B. A., Part III with

Major—Economics

Minor—History and Political Science

(ii) B. Com., Part III with Accountancy and Auditing on special subjects.

(iii) B. Sc., Part II with

Major—Mathematics, Physics, Botany and Zoology

Minor—Mathematics, Physics and Chemistry

for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 104 UAC 67.]

By Order and in the name of the Governor of Mysore,

1426 S. N. Sreenath, *Under Secy.*

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 8th November 1967.

S.O. 2153.—In exercise of the powers conferred by sub-section (1) of Section 47 of the Mangalore Port Trust Act, 1953, the Government of Mysore hereby sanctions the following amendments to condition 26 of the statement of condition issued in Government of Madras Order No. 1875, Public Works (Marine) Department Notification No.36 dated 12th May 1955, published on pages 1138 to 1146 of Part I of the *Fort St. George Gazette* dated 3rd August 1955 of the Government of Madras as subsequently amended.

The amendments hereby made shall come into force with immediate effect.

In the said statement of conditions in Condition 26

1. in Clause (1) after note (b), the following Note shall be added, namely :—

"*Note* (c) The licence and leases will be issued under the signature of the Secretary".

2. for Clause (10) the following Clause shall be substituted, namely :—

"(10) In case of any encroachment or unauthorised occupation, the Board at its discretion may cause such encroachment or occupation regularised or evicted at the cost of the Licensee/lessee. In the case of regularisation, Ground rent shall be charged at the monthly or weekly rates, as the case may be, till the date of regularisation of the occupation and, in the case of removal or eviction, at twice the monthly or weekly rates till the date of vacation of the area or eviction, as the case may be".

3. for Clause (11) the following Clause shall be substituted, namely :—

"(11) Except in the case of Pucca buildings constructed in accordance with the provisions of sub-clause 5 the lessee shall not sublet the leased land or structures put up by him.

The lessee desirous of sub-leasing the land or building thereon should furnish full particulars of name of the proposed sub-lessee, the part or portion to be sublet, rent fixed for the sub-lease, the period and the purpose for which the building is to be used. The decision to authorise the sub-lease shall vest with the authority who has granted the lease and the original lessee, as well as the sub-lessee or actual occupant thereof shall be responsible to the Board for all rents and other charges due to the Board".

4. for Clause (12) the following Clause shall be substituted, namely :—

"(12) (i) In case of applications for Licence/Lease of Port Trust Land, such occupation shall not commence prior to issue of License/ Lease. Any occupation made prior to issue of Licence/Lease shall be assessed at twice the annual rate of ground rent applicable to the land in question, on prorata basis for the period prior to the date of regularisation. In case such occupation is not regularised, the occupant shall be charged at twice the monthly or weekly rates, as the case may be, till the date of vacation of eviction.

(ii) The Licensee/Lessee shall also be responsible for renewal of Licence/Lease prior to its expiry if he is desirous of continuing the occupation and shall apply for renewal of Licence/Lease at least sixty

days prior to expiry of the period of Licence/Lease as provided under sub-clause 3 (i). Failure in this regard and occupation subsequent to expiry of Licence/Lease term shall be deemed to be unauthorised, and rent shall be levied at twice the monthly/weekly rate unless such occupation is regularised on payment of penalty in accordance with the succeeding sub-clause".

[No. PWD 82 PMT 66].

By Order and in the name of the Governor of Mysore,

1410 R. R. NAIK, *Deputy Secy.*

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 9th November 1967.

S. O. 2154.—In exercise of the powers conferred by the Rule 18 of the Mysore Agricultural Produce Markets Rules 1967, the Government of Mysore, are pleased to extend the terms of IV Agricultural Produce Market Committee, Sakleshpur, constituted in G. O. No. DPC. 106 CMD 64 dated the 29th April, 1964, for a further period, ending with 31st December, 1967.

[No. DPC 337 CMD 67.]

By Order and in the name of the Governor of Mysore,

1425 S. V. PRABHU, *Under Secy.*

EDUCATION SECRETARIAT

NOTIFICATION.

Bangalore, dated 14th November 1967.

S. O. 2155.—In exercise of the powers conferred under sub-section (3) of Section 52 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S. S Margol Arts and Science College, Shahabad, to the Karnatak University, for teaching Pre-University Courses in Arts and Science for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University. The management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year regarding its financial stability.

[No. ED 111 UAC 67.]

By Order and in the name of the Governor of Mysore,

1434 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated 13th November 1967.

S. O. 2156 —In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949, (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the J. G. Murusavirmath Women's Arts College, Hubli, to the Karnatak University, for teaching Pre-University Arts and B. A. Part I Courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 106 UAC 67].

By Order and in the name of the Governor of Mysore,

1435 S. N. SREENATH, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 13th November 1967.

S. O. 2157.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the R.T.E. Society's Arts and Science College, Ranebennur to the Karnatak University, for teaching Pre-University Courses in Arts and Science for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University, as also to the condition that the Management must satisfy the University that it will maintain the College without Government grants and also that the College must satisfy the University before the next financial year about its financial position.

[No. ED 105 UAC 67.]

By Order and in the name of the Governor of Mysore,

1436 S. N. SREENATH, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

GOVERNMENT OF MYSORE

(COMMERCE AND INDUSTRIES DEPARTMENT)

Subject.—Determination of Mining Lease granted to Shri V. D. Malagaonkar, Jagalpet for Manganese ore over an area of 114.4 acres in F. S. No. 30 (Part) of Titwali Village, Supa Petha Taluk, North Kanara District, for a period of 20 years.

READ.—

i) Government Order No. CI 534 MNL 57, dated 6th August 1958.

ii) Government Letter No. CI 105 EMI 67, dated 20th July 1967.

iii) Letter No. 106 DTN 67, dated 18th October 1967 from the Director of Mines and Geology, Bangalore.

Preamble.—

Government in their Notification read at (i) above sanctioned the grant of M.L. over the above mentioned area to Shri V.D. Malagaonkar, Jagalpet and the said lease bearing No. 405 was executed on 24th October 1958.

In the Government letter at (ii) read above, Government issued a notice to the lessee calling upon him to pay the arrears of Rs. 1,710/— towards mining revenue due to Government, within a period of sixty days from the date of that letter, failing which further proceedings would be taken to determine the Mining Lease in question and also forfeit the whole of the Security Deposit paid by the Lessee on this account.

The Director of Mines and Geology, Bangalore in his letter read at (iii) above reports that Shri V. D. Malagaonkar, Jagalpet has neither responded to the Government letter read at (ii) above nor has he taken any steps to clear the arrears of Rs. 1,710/—due to Government and, hence the Director advises Government that the Mining Lease in question may be determined.

ORDER.

Bangalore, dated the 8th November 1967.

S. O. 2158.—Government hereby order determination of the above mentioned Mining Lease granted to Shri V. D. Malgaonkar, Jagalpet with effect from 20th September 1967 and also the adjustment of the Security Deposit, etc., paid by the lessee against the dues.

(No. CI 105 EMI 67.)

By Order and in the name of the Governor of Mysore,

1430 N. NARAYANASWAMY, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 4th November 1967.

S.O. 2159.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Quartz and white Clay to Shri R.T. Bhandage in the following areas of the Khanapur Taluk, Belgaum District on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Naikol	F.S. No. 43	127 acres (51-39 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of one year with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this license, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and

Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central Government or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The area mentioned above is subject to verification after actual survey.

[CI 158 EPI 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,

Under Secretary to Government,

1431 *Commerce and Industries Department.*

REVENUE SECRETARIAT

NOTIFICATION

Bangalore, dated 8th November 1967.

S. O. 2160.—In exercise of the powers conferred by Section 78 of the Indian Registration Act 1908 (Central Act XVI of 1908) the Government of Mysore hereby makes the following further amendment to the table of fees notified in Notification No. RD 2 GRG 61 dated 13th December 1962 *viz.*,

In the table of fees annexed to the said Notification in Article XXXIV after item (36) the following item shall be added namely.—

"(37) for the registration of instrument executed by the widow or/ children of a member of the Armed Forces of the Union killed in action subject to the condition that a certificate by the Officer Commanding or the Officiating Officer Commanding of the unit to that effect shall be produced before whom the instrument has to be registered". Nil

(No. RD 94 EST 67.)

By Order and in the name of the Governor of Mysore,

1433 M. A, SHAMPRASD, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT.

NOTIFICATION.

Bangalore, dated 9th November 1967.

S.O. 2162.—In pursuance of sub-section (1) of Section 6 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant to Shri R. G. Janthakal of a Mining Lease for twenty years for Manganese in respect of the area of 160 acres (64-75 hectares) of land in Gurusiddapura Village Jagalur taluk Chitradurga District, S. Nos. as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12 50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2-50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If Beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948, is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960. before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometres.

(*l*) Government shall have the right of purchasing the ore at current market rates.

(*m*) The lease would be determined if the lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey; and

(o) The lessee shall produce a minimum of 2,5C0 tons during the first year 35 0 tons during the second year and progressively increase to 5000 (five thousand) tons from third year onwards.

[No. CI 179 EMO 67.]

By Order and in the name of the Governor of Mysore,

1439 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION

Bangalore, dated 9th November 1967.

S.O. 2163.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-Section (2) of section 5 of the said Act the Government of Mysore are pleased to sanction, the grant to Shri K. Nagaraja Rao, of a Mining Lease for twenty years for Manganese in respect of the area of 49 acres (19-83 hectares) of land in Part of S. No. 10 and 11 of Hosur Village, Shikaripur Taluk, Shimoga District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below :—

(*a*) Mining Lease should be in respect of Manganese only. If other minerals are found in association with Manganese they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Manganese he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 in respect of each mineral per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2–50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act, No. XXIX of 1948 is found to occur in the property under the lease, the lessee shall make available such mineral to the Government of India.

(*e*) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(*f*) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(*g*) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(*h*) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(*i*) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(*j*) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(*k*) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilometers.

(*l*) Government shall have the right of purchasing the Ore at current market rates.

(*m*) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

[No. CI 44 EMO 67.]

By Order and in the name of the Governor of Mysore,

440 N. NARAYANASWAMY, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of M/s B. L. S. (P) Ltd., Chamarajanagar.

Award of the Labour Court, Bangalore—Published.

Read the following papers :

(1) Letter No. 824/67--68 dated 21th October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 24th day of October 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B., ... *Presiding Officer.*

Reference No. 77 of 1965.

Workmen represented by the Secretary, Mysore Division Motor Workers' Association, Old Post Office Road, Chamarajanagar, Mysore District. ... *I Party.*

Vs.

The Management of M/s. B. L. S. (P) Ltd., Chamarajanagar. .. *II Party.*

Reference:

Government Order No. LMA 502 LLD 65, dated 15th December 1965.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s B. L. S. (P) Ltd., Chamarajanagar, have referred

it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 502 LLD 65, dated 15th December 1965, setting out the following points of dispute for adjudication :—

> "Is the worker Sri Govindaiah, Driver of M/s. B.L.S. (Private) Ltd., Chamarajanagar, entitled for reinstatement with back wages and continuity of service with arrears of his salary for the months of October and November 1963; if not to what other relief he is entitled to?"

2. The cause of the aggrieved workman has been sponsored by The Mysore Division Motor Workers' Association, Chamarajanagar. This Union as representing the Workmen is the First Party and the Management of M/s B.L.S. (Private) Ltd., Chamarajanagar, is the Second Party in this proceeding. The Secretary of the Union, Mr. Vishakantiah, has appeared for the First Party. Mr. Stanley Victor has appeared for the Management of the Second Party.

3. The dispute relates to workman Govindaiah. He was working as a Motor Vehicle Driver under the Second Party, which is an Establishment running Bus Transport Service. The Second Party has its Head Office at Coimbatore and a branch office at Chamarjanagar. Govindaiah was working under the Branch Office at Chamarajanagar. Admittedly, he was in service for more than 3 to 4 years.

4. The grievance made out by the Union, in the statement of claims dated 25th January 1966, is that the Management has unlawfully and illegally terminated the service of Govindaiah with effect from 7th December 1963. It has prayed that the Management be directed to reinstate him in service with full back wages and continuity of service.

5. In the Statement of objections dated 23rd January 1967, the Management has contended that Govindaiah was extremely irregular in his attendance and used to remain absent for various days off and on, and finally, from 7th December 1963, stayed away from work. A notice was issued to him by the Management, but Govindaiah did not care even to send a reply thereto. The Management was, therefore, justified in assuming that he had

quitted the job, of his own accord. The Management has not terminated his services. Hence, Govindaiah is not entitled to any of the reliefs claimed by him and, therefore, the Reference deserves to be rejected etc,

6. On these pleadings, the following issues have been framed (*Vide* Order Sheet dated 27th February 1967) and set down for hearing :—

1. Does the First Party prove that the services of the aggrieved workman have been illegally terminated by the Management of the Second Party ?

2. Does the Second Party prove that the aggrieved workman has absented himself and stayed away from work inspite of notice and hence is deemed to have given up his job voluntarily ?

3. What Award ?

Parties were asked to lead evidence on these issues. The Union has examined the aggrieved workman Govindaiah (W.W. 1) and produced five documents marked Exts. W. 1 to W 5. The Management has not led any oral evidence but has produced 14 documents marked Exts M. 1 to M 14 and one more document marked 'A' for identification. This is all the evidence. I now proceed to consider it.

7. There is no dispute about the fact that Govindaiah was in the employ of the Second Party and everything was moving smoothly till about the end of February 1963. The case of the Management is, that since March 1963, Govindaiah became irregular in attendence. According to it, Govindaiah worked as under :—

March 1963	...	He was on leave for 4 days and remained absent for the rest of the month.
April 1963 May 1963	...	Remained absent on all days in these two months.
June 1963		Worked for 11 days and remained absent for the rest of the days.
July 1963	...	Worked full month.
Aug. 1963	...	Worked for 22 days and remained absent for the remaining days.

Oct. 1963 ... Worked for 16 days only.

Nov. 1963 ... Absent for the entire month.

Dec. 1963 Worked only for 6 days and then remained absent.

8. In support of this averment, the Management has produced the Wage Payment Sheets from February 1963 to December 1963. They are regular payment sheets kept in the ordinary course of business. The workers have signed on them for receiving payment of their salaries and wages. Govindaiah also has signed on them whenever he has received payments and he has admitted his signatures in them. These payment sheets show that Govindaiah has received the following payments in the following months.

1963	*Total Salary*	*P.F. Deductions*	*Amount actually received*
Ex. M. 4 Feb.	71.25	4.50	66.25
Ex. M. 5 March	71.25	Marked Absent	
Ex. M. 6 April		Name does not appear	
Ex. M. 7 May		Name does not appear	
Ex M. 8 June	71.25	1.75	24.37 (11 days)
Ex. M. 9 July	71.25	4.50	66.75 (31 days)
Ex. M. 10 Aug.	71.25	4.50	66 75 (31 days)
Ex M. 11 Sept.	71.25	4.50	66.75 (30 days)
Ex. M. 12 Oct.	71.25	2.50	38.87 18 days) (pay not taken)
Ex. M. 13 Nov.		Name does not appear	
Ex. M. 14 Dec.	71.25	1.00	15.08 (7 days) (not taken)

Govindaiah has signed against the payments received by him in Exts M 4. M.8, M.9, M 10 and M.11 and has admitted his signatures. He has not taken his salary as made out in Exts. M.12 and M.14. It can be seen from these payment sheets that Govindaiah was absent from duty on the days mentioned by the Management.

9. In this connection the statement made by Govindaiah (W.W.1) in his cross-examination deserves to be noted. He has stated :—

"It is true that I was not paid my salary in March 1963 as I did not work in February. Management did not pay me because I did not work. In April and May 1963 Management paid me my salary, though it has not been mentioned in Exts. M.6 and M.7. At times my signature was taken in the payment sheet and at times not. I do not remember if I was going for work in March and April 1963. It is true that in June 1963, I received Rs. 24 37 as my salary (Ex. M 8). I received less pay because I was on leave for 19 or 20 days. In July I received my full pay and Ex M 9 is my signature in the payment sheet. In August 1963, I received my full pay. Ex. M.10 is my signature in the payment sheet. In September 1963, I received my full pay and Ex. M.11 is my signature in the payment sheet. In October 1963, the Management offered me Rs. 38.37 as per Ex. M 12 and I did not take it (*Vide* para 13)"

10. When wage payment sheets have been regularly maintained by the Management, I can not believe Goviodaiah when he says that at times, his signatures were not taken in the payment sheets. It is clear from these admissions made by Govindaiah and the documents maintained by the Management in the regular course of business that he (Goviodaiah) was very irregular in attendance.

11. The trouble appears to have started when the Management offered Govindaiah Rs. 38 37 only as salary in October 1963. Govindaiah wrote the letter Ex. W.1 dated 14th November 1963 to the Head Office at Coimbatore complaining therein that an illegal deduction had been made in his salary for October 1963 and demanding full payment. He followed it up by another letter (Ex. W.2) dated 28th November 1963,. On 29th November 1963, the Management sent him the reply (Ex. W. 3) stating that deductions in his salary for October 1963 had been made because he had remained absent without leave and asking him to attend office regularly, morning and evening, and sign in a register kept for that purpose. It appears that Govindaiah signed in the said register for a few days. Then, according to Govindaiah the register was kept back and he was not allowed to sign in it. According to the

Management, Govindaiah did not turn up at all from 7th December 1963 to sign in the register. So, the Management wrote to him the letter dated 9th April 1964 (posted on 18th April 1964) marked 'A' for identification It is a notice issued to him by the Management to show cause why he should not be dismissed from service for his continued absence from 7th December 1963. Govindaiah has stated that he has not received any such notice. At the same time he has admitted his signature on the postal acknowledgement Ex. M 2. It shows that he has received one communication from the Management on 22nd April 1964. When questioned further, he has stated that he has handed it over to the First Party Union Secretary Mr. Vishakantaiah. The Union has not produced it. Then on 20th April 1964 Govindaiah has written the letter Ex. W.4 to the Management. He has said therein that he was attending the office regularly but the register was not being given to him for his signature. Then he has stated that in May and June 1964 he had not attended the office on medical advice, as he was ill. He has demanded his salary from November 1963 to May 1964 amounting to Rs. 619-75. On 20th June 1964 (posted on 22nd April 1964) the Management has written the letter Ex. M.3 (Same as Ex. W.5 to Govindaiah. Therein it has brought to the notice of Govindaiah its letter of 18th April 1964, acknowledged by him on 22nd April 1964 and said that he had not sent any reply thereto. It has concluded the letter saying that he had stayed away from work from 7th December 1963 and hence had ceased to have a lien on his job under it. The Management has reiterated all these facts in its reply dated 21st July 1964 to the Conciliation Officer (*Vide* Ex. M.1).

12. From the evidence discussed so far, it is clear that Govindaiah was highly irregular in his attendance. He has remained absent and has not received his salary in some months and received it partly in some months. He has not proved that he was absent by taking leave. Then in 1964 again, on his own admission he has remained absent in April and May. The letter acknowledged by him under Ex. M. 2 has not been produced and according to the Management that letter is the document marked 'A'. No independent evidence of co workers also has been adduced by Govindaiah to show that he was attending office and the register was not being given to him for his signature. Then between 26th November 1963 (Ex. W. 2) and 20th June 1964 (Ex. W. 4) he has remained completely silent. He has not written to the Management that the local Branch Manager was not giving him the register for his signature, even though he was attending

office as per directions given in Ex. W. 3. All these facts and circumstances lead to only one inference, and that is, that Govindaiah himself has stayed away from work voluntarily. In these circumstances, the Management was justified in assuming that Govindaiah had abandoned his service. In view of this conclusion, I record my finding on the first issue in the negative and on the second issue in the affirmative.

13. In the result, it follows that Govindaiah is not entitled to any reliefs. Hence I make an Award as under :—

AWARD.

This Reference and the demands made by Govindaiah and the first party Union on his behalf, except the salary of 18 days in October 1963 and seven days in December 1963 totalling to Rs. 53.95 P, do stand rejected. The Management of the Second Party is directed to pay Govindaiah a sum of Rs. 53.95 P towards arrears of salary. I make no order as to costs.

(Sd.) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"Copy"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore, dated 4th November 1967.

S.O. 2164.—WHEREAS by State Government Order No. LMA 502 LLD 65, dated 15th December 1965, the Industrial Dispute between the Workmen and the Management of M/s. B. L. S. (P) Ltd. Chamarajanagar, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

(No. LMA 502 LLD 65.)

By Order and in the name of the Governor of Mysore,

1412 G. G. PUROHIT, *Under Secretary*.

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of New Fort Lunch Home, K.R. Road, Bangalore-2.

Award of the Labour Court, Bangalore—published.

Read the following papers :—

Letter No. 822/67–68, dated 23rd October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 23rd day of October 1967.

Present:

Sri P. T. Kadkol, B.Sc., LLB. ... Presiding Officer.

Ref. No. 20 of 1967.

Workmen represented by the Secretary, Bangalore District Hotel and Canteen Workers' Union, 50–A, Arcot Srinivasachar Street, Bangalore–2. ... *I Party.*

Vs.

The Management of New Fort Lunch Home, K. R. Road, Bangalore–2. ... *II Party.*

Reference:

Government Order No. LMA 59 LLD 67 Bangalore, dated 15th February 1967.

AWARD.

The Government of Mysore, being of the opinion that an industrial dispute exists between the Workmen and the Management of M/s. New Fort Lunch Home, Bangalore, have referred it to

this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947 by their Order No. LMA 59 LLD 67, dated 15th February 1967, setting out the following points of dispute for adjudication :—

> "Is the management of New Fort Lunch Home, K. R. Road, Bangalore-2, justified in terminating the services of Sri. Hari Rao? If not what is the relief the worker is entitled to?"

2. The cause of the aggrieved workman has been sponsored by the Bangalore District Hotel and Canteen Workers' Union, Bangalore which is a registered Trade Union. This Union, as representing the workmen, is the first party and the Management of the New Fort Lunch Home, Bangalore is the Second Party. The Union is represented by its President, Sri. S. Suryanarayana Rao. The Management is represented by Sri. P. Parameshwarayya, the proprietor of the Establishment.

3. The President of the Union has submitted the Statement of Claims, dated 3rd April 1967. The averments made therein are these :—

> The aggrieved workman Hari Rao was in the service of the Second Party for about 26 months; on 8th July 1966, the Management of the Second Party terminated his services, all of a sudden, without any reason and without any enquiry; the said termination is illegal and unjustified; hence it should be set aside and the Management be directed to reinstate the workman in his former post, with full back wages and continuity of service etc.

4. The proprietor of the Second Party Establishment has submitted the Statement of his objections dated 22nd April 1967. The averments made by him therein are these :—

> It is true that Hari Rao was in the service of the Second Party for 26 months; but it is not true to say that his services were terminated on 8th July 1966 by the management; he was working as a supplier: he was assigned to serve in the room meant for "families"; it was complained that he was not behaving properly with girl students visiting the establishment; one Sri R. Rangappa, a customer present in the family

room with his family, gave a complaint in writing on 5th July 1966 that Hari Rao had misbehaved with two girls; on 7th July 1966, the same gentleman gave another complaint regarding the misbehaviour of Hari Rao; the proprietor made enquiries and found that Hari Rao was in fact misbehaving; hence the proprietor directed him (Hari Rao) to do the work of a supplier in another room instead of in the family room; feeling aggrieved by this order of the proprietor, Hari Rao stayed away from work voluntarily, without informing the Management anything; thereafter on 8th July 1966 Hari Rao got a notice issued to the Management through the first party union to the effect that the Management had wrongfully terminated his services; the Management sent a reply to the Union, denying that it had done so and stating that Hari Rao had voluntarily stayed away from work and if Hari Rao turned up, work would be given to him; on receipt of this reply, Hari Rao came for work; the proprietor asked him to serve the customers in the common hall; he refused and demanded that this accounts should be settled; hence the Management made his accounts and found that Hari Rao owed a sum of Rs. 150 to the Management towards the advances taken less the salary due to him up to that date; Hari Rao promised to pay the said amount of Rs. 150 within 6 months and left the service of his own accord; thereafter as a matter of precaution the Management intimated Hari Rao on 15th July 1966, by issuing a notice, that his services had been terminated for misbehaviour; hence it can be seen that Hari Rao has abandoned his job voluntarily and even if it is deemed that the Management has terminated his services, the termination is fully justified; in these circumstances, the Reference deserves to be rejected, etc.

5. On the basis of these pleadings, the following issues have been framed on 24th June 1967 (*Vide* Order Sheet) and set down for hearing :—

1. Does the First Party prove that the Second Party has terminated the services of the workman Hari Rao?

2. Does the Second Party prove that Hari Rao has stayed away from work voluntarily for the reasons set out in the written statement ?

3. Does the Second Party prove the alleged misbehaviour of Hari Rao, as server in the family room ?

4. Is Hari Rao entitled to be reinstated with or without back wages and continuity of service ?

5. What Award ?

Parties were asked to lead evidence on these issues.

6. The case was fixed for evidence on 13th July 1967. On that day, Mr Suryanarayana Rao sought an adjournment on the ground that his party (Hari Rao) had not come and was reported to be ill. The Management also sought an adjournment. Hence the adjournment was granted. Thereafter the case came up for evidence on 1st August 1967. It was found that the First Party had no notice of the date fixed for evidence. Hence it was adjourned and posted to 2nd September 1967 and notice was directed to be issued to the First Party. The Notice was sent to the Second Party, by mistake, though it was not necessary. Hence on 2nd September 1967, the case was again adjourned and posted to 23rd September 1967 and notice was directed to be issued to the First Party. The Notice issued was received by Mr. Suryanarayana Rao on 5th September 1967 (*Vide* postal acknowledgement included in the file) when the case was called out on 23rd September 1967, it was found that none was present on behalf of the First Party. The aggrieved workman Hari Rao also was not present (*Vide* Order Sheet). Hence the case was heard in the absence of the first party.

7. On behalf of the Management of the Second Party, the proprietor of the Establishment, Sri Parameshwarayya, has examined himself as M.W. 1. He has also produced two documents marked Exts. M. 1 and M. 2. Parameshwariah has sworn to many of the facts set out by him in the statement of objections. In particular, he has stated that Hari Rao was working as supplier in the room meant for ladies; many lady customers were complaining to him about his misbehaviour; he ignored the complaints for some time; then on 5th July 1966, one Rangappa who was in the family room with his family for refreshments, complained to him against Hari Rao and even gave him the written complaint Ex. M. 1; then he asked Hari Rao to serve in the room

outside; Hari Rao did not like the change and stayed away from work, etc; Parameshwariah has also stated that he took part in the conciliation proceedings. He has produced a copy of the conciliating proceedings at Ex. M 2 Rangappa's complaint corroborates the statement made by Parameshwaraiah. The conciliation proceedings show that Parameshwariah had taken Hari Rao back to duty on 12th July 1965. Parameshwarayya has stated that on 12th July 1965, he again asked Hari Rao to serve in the out-side room and not in the family room, but Hari Rao did not like the change and went away after settling his accounts. In the absence of any evidence to the contrary, I see no reason to reject the testimony of M.W. 1 and the evidence afforded by Exts. M. 1 and M. 2.

8. The burden of proving that Hari Rao's services were terminated by the Management lay on the First Party. By remaining absent and leading no evidence, it has failed to discharge the same. Hence, I shall have to record my finding on the first issue in the negative and I do so. By his own oath, corroborated to some extent by the documents Exts. M. 1 and M 2, Parameshwarayya has proved that Hari Rao left his job voluntarily in the circumstances stated by him. Accepting it, in the absence of any evidence to the contrary, I record my finding on the second issue in the affirmative. In view of my findings on the first and second issues, the third issue will not survive.

9. It follows, therefore, that Hari Rao is not entitled to be reinstated. In the result, I make the Award as below :—

AWARD

The Reference, as also the demands made by Hari Rao and the First Party Union on his behalf, are rejected with no order as to costs.

P. T KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labou Court, Bangalore.
23-10-67

ORDER.

Bangalore, dated the 6th November 1967.

S. O. 2165.—WHERRAS by State Government Order No. LMA 59 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of New Fort Lunch Home, K. R. Road, Bangalore-2. was referred to the Labour Court, Bangalore for adjudication ;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 59 LLD 67.]

By Order and in the name of the Governor of Mysore,

G. G. PUROHIT,
Under Secretary.

1417

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT. (LABOUR).

Labour Dispute —Industrial Dispute between the Workmen and the Management of Sri Siddeswara Textile Mills (P) Ltd., Davangere.

Award of the Labour Court, Hubli Published.

Read the following papers :—

(1) Letter No. 1542/67-68, dated 28th October 1967 from Shri Syed Aziz uddin Ahmed Presiding Officer, Labour Court Hubli.

IN THE LABOUR COURT HUBLI

Dated 28th October 1967.

Reference (ID (LC) H, No. 80 of 1966.

Present :

Sri Syed Azizuddin Ahmed, M.A., B.L., *Presiding Officer.*

Between

The Workmen of Sri Siddeswara Textile Mills (Private) Ltd., Davangere represented by the Secretary, Sri Siddeshwara Textile Employees Association, Nittavalli Road, Davangere. ... *I Party.*

And

The Management of Sri Siddeshwara Textite Mills (P) Ltd., Davangere. ... *II Party.*

This is reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 359 LLD 66 dated 15th December 1966. The point of dispute referred for adjudication :—

"Is the management of Sri Siddeswara Textile Mills (P) Limited, Davangere, justified in dismissing Sri Maqbul Sab, T. No. 39 R. F Sider with effect from 22nd January 1966. If not is the worker entitled to reinstatement with back wages and continuity of service ?"

2. The cause of the aggrieved workmen has been sponsored and espoused by Sri Siddeshwara Textile Employees Association, Devangere represented by its Secretary. Sri M. C. Narasimhan, General Secretary of the Karnataka Pradesh Trade Union Congress appeared for the I Party while Sri C. P. Chandra Dass, Assistant Law Officer of the South India Mill-owners Association, Coimbatore appeared for the second. In response to the notices issued by the Court, the parties filed their pleadings, dated 31st May 1967 and 13th June 1967 respectively.

3. The sum and substance of the Claim Ssatement is that Sri Maqbul, the delinquent workmen had put in many years of service under the II Party. He was served with a charge-sheet dated 18th January 1966 after a show cause notice dated 14th January 1966 was issued to him. He was accused of riotous or disorderly behaviour during the working hours etc., and after a so-called enquiry, he was dismissed from service with effect from 22nd January 1966. The delinquent workmen was an active member of the I Party union and his dismissal was influenced by this factor. He is not guilty of the charge levelled against him. The Management had acted *mala fide* and the order is viciated by victimisation and thus the enquiry was opposed to the principles of natural justice.

4. The II Party in its Counter Statement denied knowledge of the fact that the delinquent workman was a member of the I Party union It maintained that even if the workman was such an active member, it could not give him a carte blanche to do anything and everything on that score. The delirquent was dismissed solely for the misconduct committed by him and not for any other reason. The point of dispute specified in the order of reference was adopted as issue in the case.

5. When the case was taken up for hearing on 19th June 1967 at Davargere camp, Sri Siddramappa, President of the I Party union filed an application seeking adjournment. As adjournment could not be granted at the mere askance, I heard the arguments of Sri B. C. Chandra Das Assistant Law Officer of the Management, who was present in the Court. He declined to lead oral evidence and stated that he would rely on the domestic enquiry. He filed the connected papers and the entire set was marked as Ex. M 1 series. The case was adjourned to hear the representative of the I Party. When the case was taken up for hearing again at

Davangere Camp on 20th September 1967 Sri M. C. Narasimhan, General Secretary, Karnatak Pradesh Trade Union Congress appeared for the I Party and Sri C. P. Chandra Das appeared for the second. Sri M. C. Narasimhan examined one witness in proof of the allegation that the management had victimised the workman. The representative of the II Party had no objection in examining witness on this point. The II Party also examined one witness in rebuttal and both the parties were heard afresh.

FINDINGS

Ex. M-1(a) is the show-cause notice dated 14th January 1966. It runs thus :—

> "It is reported by maistries that you have severely threatened, beaten and used abusive language to the workers by name Basavaraj, Devendrappa and Rudrappa, for no fault of them, inside the mills premises. You behaved arrogantly by giving impertinent answers when questioned by maistries and supervisor.
>
> This act of yours constitute the misconduct of, Riotous or disorderly behaviour during working hours of the establishment or any act subversive of discipline' and 'threatening or intimidating any employee of the works' under Standing Orders 15 (3) (c) (h) & (M)." etc.

Ex. M-1 (c) is his reply to the show cause notice Ex. M1 (a) In his repely the delinquent workman denied the charages levelled against him. Ex. M-1 (d) is the chargesheet. It is in the manner of Ex. M-1 (a). The management latter appointed Sri L. Shivappa, Labour Welfare Officer to conduct the domestic enqniry. Tne Enquiry Officer recorded the statements of four witnesses. From the proceedings Ex. M-1 (c) it transpires tha the II Party examined first their witnesses in the presence of tht delinquent workman and allowed him all opportunities to crosse examine them. Ex. M-1 (j) is the statement of Maqbul Sab, the delinquent workman, wherein he has stated that as he was an executive committee member false allegations have been levelled against him. He has further stated that he had no witnesses on his behalf. Ex. M-1 (k) is the findings of the Enquiry Officer. After perusing the proceedings of the domestic enquiry, the management passed the dismissal order Ex. M-1 (l) dismissing him from service from 18th January 1966. As there could be no

retrospective order of dismissal, that the management passed the second order of dismissal Ex. M-1 (m) dated 22nd January 1966 dismissing him from service forthwith.

7. Now, I shall refer to the oral evidence in the case. Maqbul Sab W. W. 1 is none other than the delinquent workmen. He deposed that he is an executive committee member of the Sri Siddeshwar Textile Employees Association, Davangere (S. T. E. E. A. There are two unions functioning among the workmen. S.T.E.E.A. is an outside union. He does not remember the name of the other union. The other union is a union sponsored by the Maistries of the II Party. Maistry Hussen Sab belongs to the Maistries Union, which is a pro-management union. He had collected the subscription of the members of his union outside the mill premisees whereas the maistries collected the subsriptions of the members of the union inside the mill Hussen Sab asked him to pay the subscriptions to his union but he refused. Thereupon, he threatened to remove him from the job. In rebuttal, Hussan Sab, M. W. 1 deposed that he has not organised any union in the mill nor had he collected subscription from any worker. He did not ask Maqbul Sab to pay him subscription. There is a union organised by the maistries in the II Party Mill. He is not a member of any union. From a persusal of the proceedings of the domestic enquiry, it is found that the enquiry has been fairly and properly conducted. It does not suffer from any flaw. Sri Narasimham, the learned representative of the I Party made much of the fact that the statements of the management witnesses suffer from contradictions. The witnesses have stated that the incident took place at night meaning thereby the night-shift and yet they have stated that the incident took place at about 11 O'clock in the night. This could not be the hour of the night shift. This cannot be considered a material contradiction. In ordinary parlance 11 O'clock in the night could well be described as night. The I Party has filed a representation of the workmen to the II Party asking then to allow him to have an observer at the time of the domestic enquiry. It is not clear whether this representation was made to the Enquiry Officer. In 1960 (2) LLJ page 288 and in 1961 (2) LLJ page 417 there are observations to the effect that a workmen against whom an enquiry is being held by the management, has no right to be represented at such an enquiry by a representat ve of his union. Though the employer, in his discretion, can and may allow him to be so represented and it cannot be said that in any enquiry against a workmen natural justice

demands that he should be represented by a representative of the union. In this view of the matter, it cannot be said that the management committed any grave error. The deposition of Maqbul Sab W. W. 1 cannot be believed. Ordinarilly, no member of one union would ask the member of another rival union to pay him subscription. This appear to be a story invented to suit the purpose. This does not establish any victimisation on the part of the management. At best, it was a quarrel inter so between the workmen of the mill with which the management would have nothing to do. Besides, Hussen Sab has categorically denied that he had asked subscription from Maqbul Sab. From the statements of the management witnesses it has been clearly established that aggrieved workman had threatened and assuelted Devendrappa, Basavaraj and Rudrappa. Hussan Sab has stated that he had seen the beating. Perhaps in order to prejudice his testimony, the story was invented that he had asked for subscription from Maqbul Sab. In 1958 (1) LLJ page 58 Thcir Lordships of the Supreme Court have observed :

> " In case of dismissal on misconduct the Tribunal does not however, act as a court of appeal and substitute its own judgment for that of the management. It will interfere
>
> (1) when there is a want of good faith,
>
> (2) when there is victimisation or unfair labour practice,
>
> (3) when the management has been guilty of basic error or violation of a principle of natural justice and
>
> (4) when on the materials the findings is completely baseless or perverse."

The present enquiry does not suffer from any of these defects. On an over-all consideration of the entire material on record, the point of dispute is decided in favour of the II Party.

AWARD

The Management of Sri Siddeshwar Textile Mills, (P) Ltd, Davangere was justified in dismissing Sri Maqbul Sab, T. No. 39, R. F. Sider with effect from 22nd January 1966. He is not entitled to reinststement with back wages and continuity of service. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place : Hubli
Dated: 28 10-1967.

ANNEXURE

Reference (ID) (LCH) No. 80 of 1966.

Witnesses examined for I Party

W.W.-1 Maqbul S/o Alisahab

Witnesses examined for II Party

M.W.-1 Hussainsab S/o Khadarsab

Documents marked for I Party

Exhibits :

W-1 Letter dated 19th January 1966 from W. W. 1 to Labour Officer.

Documents marked for the II Party

M-1 File of domestic enquiry

M-1 (a) .Show cause notice dated 14th January 1966

M-1 (b) Application dated 15th January 1966 by W. W. 1 to II Party

M-1 (c) Letter dated 17th January 1966 from W. W. 1 to II Party

M-1 (d) Charge-Sheet dated 18th January 1966

M-1 (e) Proceedings of enquiry held on 20th January 1966

M-1 (f) Statement of Devendrappa

M-1 (g) do Basavaraj

M-1 (h) do Rudrappa

M-1 (i) do Hussainsab

M-1 (j) do Makbulsab

M-1 (k) Finding of the enquiry officer

M-1 (l) Order dated 22nd January 1966 of II Party

M-1 (m) Dismissal order dated 22nd January 1966 of II Pary

M-1 (n) Letter dated 3rd Feburay 66 from I Party to II Party

M-1 (o) Letter dated 11th Feburary 66 from A.L.C. Mysore to II Party

M-1 (p) Letter dated 22nd Feburary 66 from II Party to A.L.C. Mysore.

M-1 (q) Particulars from personnel record of W.W. 1.

M-2 Standing Orders of the Mills dated 29th April 1965.

SYED AZIZUDDIN AHMED
Presiding Officer,
Labour Court, Hubli

Place : Hubli
Date : 28-10-1967

ORDER.

Bangalore, dated 4th November 1967.

S. O. 2166.—WHEREAS by State Government Order No. FCL 399 LLD 66, dated 15th December 1966, the Industrial Dispute between the Workmen and the Management of Sri Siddeswara Textile Mills (P) Ltd., Davanegere was referred to the Labour Court, Hubli for adjudication.

AND WHEREAS, the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 399 LLD 66.]

By Order and in the name of the Governor of Mysore,

1416 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Durga Parameshwari Motor Service, Mangalore.

Award of the Labour Court, Hubli—Published.

Read the following Papers:—

(1) Letter No. 1532/67-63, dated 25th October 1967, from Shri Syed Azizuddin, Ahmed Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI

Dated this 25th day of October 1967.

Reference.

(ID) (LCH) No. 47 of 1967.

Present:

Sri Syed Azizuddin Ahmed, M, A., B. L., Presiding Officer.

Between

The Workmen of Shri Durga Parameshwari Motor Service, Mangalore represented by The Secretary, S. K. Automobile and Engineering Workers, Union, Maidan Cros Road, Mangalore.

.... *I party*

and

The Management, Durga Parameshwari Motor Service, Mangalore.

... *II party*

This is a reference U/s 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No.

LMA 367 LLD 67, dated 20th June 1967. The points of dispute referred for adjudication are as under:—

I. Are the workmen of Shri Durga Parameshwari Motor Service, Mangalore, entitled for the payment of Bonus for the years 1962-63 and 1963-64?

II. If so to what amount are they entitled to Bonus for the above years?

2. The cause of the aggrieved workmen has been sponsored and espoused by The S. K. Automobile and Engineering Workers' Union, Maidan Road, Mangalore represented by its Secretary. Sri Srinivas appeared for the I Party. There was no one present on behalf of the II Party. Notices were issued to both the parties to file their pleadings but they have failed to do so.

3. When the case was taken up for hearing at Mangalore camp on 18th October 1967, there was no one present on behalf of the parties in the first sitting. In the second sitting Sri Srinivas appeared. When I drew his attention to the fact that no Claim Statement was filed, he replied that the matter was too simple to need a Claim Statement. This is indeed over-simplifying the matter. The points of dispute specified in the order of reference were adopted as issues in the case. There were no witnesses present on behalf of the I party. Sri Srinivas argued the matter impromptu. He stated that the management has made huge profits and they must pay their workmen bonus for the years 1962–63 and 1963–64. I am not at all prepared to give credence to the bald statement of the representative of the I party that the management had made huge profits during the relevent period. In a ruling reported in 1963 (2) LLJ page 608, Their Lordships of the Supreme Court have observed:

"A claim for bonus for instance is entertained on the grounds of social justice and is not based on any statutory provision. In such a case, it would, no donbt be open to industrial adjudication to have regard to all the relevent considerations before awarding the claim and in doing so if it appears that a claim for bonus was made after long laps of time, industrial adjudication may refuse to entertain the claim or Government may refuse to make reference in that behalf."

The claim for bouns for the years 1962-63 and 1963-64 is not covered by the payment of Bouns Act. The claim is belated. There is no Claim statement laying foundations for the claim. There is no evidence to show that the management had made profits to warrant payment of bonus. The points of dispute are decided against the I party.

AWARD

The reference is rejected. In view of the circumstances, the parties shall bear their own costs.

Place : Hubli.

Date :25-10-1967.

SAYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hdli

ORDER

Bangalore, dated 31st October 1967.

S. O. 2167.—WHEREAS by State Government Order No. LMA 367 LLD 67, dated 20th June 1967; the Industrial Dispute between the Workmen and the Management of Durga Parameshwari Motor Service, Mangalore was referred to the Labour Court, Hubli for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FCL 367 LLD 67.]

By Order and in the name of the Governor of Mysore,

1394 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Rajesh Trading Co., 23/4, Ganigarpet, C.R. Temple Street, Avenue Road Cross, Bangalore–2.

Award of the Laborr Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 841/67-68, dated 26th October 1967, from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 26th day of October 1967.

Present

Shri P. T. Kadkol, B. Sc., LL.B., ... Presiding Officer.

Reference, No. 141 of 1967.

Sri. K. S. S. Narasimha, No. 149, Mudaliar Street, Nettakallappa Circle, Bangalore-4. ... ... *I Party.*

Vs.

The Mangement of M/s. Rajesh Trading Co., 23/4, Ganigarpet C. R. Temple Street, Avenue Road Cross, Bangalore-2
... ... *II Party.*

Refernce.

G. O. No. LMA 535 LLD 66, dated 30th November 1966.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Rajesh Trading Co., Bangalore, have referred it to this court for adjudication under Section 10(1) (c) of the Industrial Disputes Act, 1947 by their Order No. LMA 535 LLD 66 Dated 30th

November 1966, setting out the following points of dispute for adjudication .—

> "Whether the Management of the Rajesh Trading Co., 23/4, Ganigarpet, C. R. Temple St., Avenue Road Cross, Bangalore, are justified in terminating the services of Sri. K. S. S. Narasimha, their workman ; if not to what relief the said workman is entitled ?"

2. The aggrieved workman in this dispute is Sri K.S.S. Narasimha and the dispute relates to the termination of his services by the Management of the Establishment, by name Rajesh Trading Company, Bangalore, arrayed as the Second Party in this proceeding. The cause of Narasimha has not been sponsored by any Trade Union. It is also not know whether the other workmen in the Establishment, if any, have supported his cause.

3. Rajesh Trading Company, Bangalore is a proprietory concern, the proprietor being Aravind Keshavalal Dave. The aggrieved workman Narasimha was appointed as a "Travelling Representatives" for the Rajesh Trading Company, by Aravind Dave. The letter of appointment dated 16th September 1964 is at Ex.W.3. According to this letter, the appointment is with effect from 1st Nauember 1964, and subject to the conditions mentionod therein. Accordfng to Narasimha, however, he joined duty some time in Otober 1964 itself. Then on 25th January 1965, Aravind Dave, through his Advocate, issued the Notice Ex.W.4 (Ex.M. 1 is its copy) to Narasimha, terminating his services with effect from 1st February 1965. He also issued a Printed Public Notice dated 30th January 1965 declaring that Narsaimha had ceased to be his representative as his services had been terminated with effect from 1st February 1965. The Public Notice is at Ex.M.4. After this, Narasimha sent an application dated 25th February 1965, to the Commissioner of Labour, Bangalore, under the Shops and Commercial Establishments Act (Pages 2 to 4 of Ex.W.2), praying for an enquiry into his termination and award of appropriate reliefs. He also filed an application before the authority under the Payment of Wages Act to recover wages of salary due to him. The Commissioner of Labour issued a circular dated 11th May 1966 saying that proceeding pending before him under the Shops and Establishments Act, challenging orders of termination, might be taken up for conciliation under the Industrial Disputes Act, in view of Section 2A thereof and sent its copy to Narasimha (Ex.W.1). Narasimha agreed for conciliation under the Industrial

Dispute Act. Hence the Labour and Conciliation Officer conducted counciliation proceedings between Narasimha and Arvind Dave. The proceedings ended in a failure. The failure report submitted by him is at Page 1 of Ex.W.2. Thereafter, Government have been pleased to refer the dispute to this Court for adjudication.

4. Narasimha has submitted a lengthy claim statement dated 30th December 1965. Leaving aside unnecessary details for the present, the substance of the claim statement is that he (Narasimha) was a permanent employee under Aravind Dave in the Rajesh Trading Company, Aravind Dave has illegally terminated his services; the termination order be set aside and he be reinstated in his former post with full back wages and continuity of service etc.,

5. Aravind Dave has submitted his statement of objections dated 6th February 1967, raising contentions as under :—

> The present dispute is not an industrial dispute ; Narasimha is not a workman as defined in the Industrial Dispute Act ; the business that he is doing is not an industry as defined in the Act ; hence this Court has no jurisdiction to adjudicate upon this dispute ; it is true that he had employed Narasimha ; it is also true that he has terminated his (Narsimha's) service ; he has terminated it for the reasons set out in the written statement ; hence the Reference be rejected with costs, etc.,

6. Narasimha has submitted a statement dated17th February 1967 claiming Rs. 10,000 from Aravind Dav as detailsd therein. Then on 6th March 1967, he has submitted his rejoinder to the written statement of Aravid Dave. Therein he has reiterated the averments made by him in the claim statement.

7. On these pleading, the following issues have been framed and set down for hearing :—

1. Do the activities of the Second Party amout to an industry as defined in Section 2 (j) of the Industrial Disputes Act ?
2. Is the aggrieved workman Narasimha, a workman as defined in Section 2 (s) of the Industrial Disputes Act?
3. Is the referred dispute an industrial dispute
4. If not, can this court adjudicate upon this disput?

5. Are the allegations made against the aggrieved workman proved by the Second Party
6. If so, are they sufficient to justify the termination of the services of the aggrieved workman?
7. Is the Mangement guilty of any victimisation or unfair labour practice
8. To what reliefs is the aggrieved workman entitlede?
9. What Award?

Parties were asked to lead evidence on these issues and they have done so. Narasimha has examined himself as W.W.1 and produced four documents marked Exts.W.1 to W.4 and one document marked 'A' for identification. Aravid Dave has examined himself as M.W.1 and produced eight documents marked Exts.M.1 to M.8. This is all the evidence in the case. I now proceed to consider the issues on the basis of the evidence led before me.

8. The most important issue in this case is whether the present dispute is an industrial dispute. It is a jurisdictional issue. It is only if this issue is found in favour of the aggrieved workman, that, the other issue can be gone into and adjudicated upon. Now a dispute be an industrial dispute if it is sponsored by the Trade Union of the workers of the Establishment in question and of which the aggrieved workman is a member. It would also be an industrial dispute if it is sponsored by a general Trade Union of which a substantial or considerable section of the workers of the workers of the said establishment are members and they resolve to support the cause of the aggreived workman. Thirdly, it would also be and industrial dispute, if a considerable or substantial section of the workmen of the concerned Establishment espouse the cause of the aggrieved workman. That an individual dispute becomes an industrial dispute only in the circumstances hmentioned above, as been enunciated by the Supreme Court and all the High Courts, in various decisions. I do not think it necessary to cite them here.

9. Now eomming to the case on hand, it is evident that the present dispute has not been sponsored by any Trade Union, local or general. Narasimha is also not a member of any Trade Union. Hence the present dispute, which is essentially individual at the inception, cannot be treated as having developed itself into an industrial dispute on the ground of its having been espoused by any union of workers. The next

question is, whether it was become an industrial dispute by its having been supported by a substantial or consideration section of co-workers of the same establishment. On this point, Narasimha has stated :—

> " There are two other persons working there (which in the context means, the Rajesh Trading Company), they being one Sweeper and one person sitting at the counter. I do not know the names of those two persons. I do not know if these two persons are still in the service of the second party. These two persons have not supported by cause. I again say that I have not asked them if they support my cause. These two persons stay in the house of Mr. Dave himself. If I examine them, they may depose against me, because they are living with Mr. Dave (*Vide* para 3 ".

The above statement has been made by Narasimha in his examination in chief itself. This means that Narasimha has no evidence to show that the only two other workers in tho Establishment support his cause. Then we find that in the Court of the Authority under the Payment of Wages Act, where Narasimha is proceeding against Aravind Dáve, he has stated :—

" I am the only employee of the Respondent ". So we find that if Narasimha is the only employee in the second party establishment, the present dispute cannot be an industrial dispute as ruled by our High Court in P. M. Murugappa Mudaliar Rathina Mudaliar and Sons—*Vs* Ruju Mudaliar (P) and Others reported in 1965 I LLJ 489. Since the other two workers in the establishment (if they be there) have not espoused the cause of Narasimha, the present dispute cannot be an industrial dispute. If he is the only employee in the Establishment, then too the present dispute cannot be treated as an Industrial Dispute. This would be the position in law.

10. The next question would be whether the present dispute can be considered to be an industrial dispute in view of Section 2A of the Industrial Disputes Act. Section 2A was put on the statute by the Industrial Disputes (Amendment) Act of 1965. This amending Act received the assoent of the President of the Union of India on 19th Nevember 1965. Section 1 (2) of the Amending Act lays down that it would come into force on such date as the Central Government may, by Notification in the official Gazette, appoint. The Central Government published the Notification No.

S. O. 3751 dated 27th November 1965 under Section 1 (2) of the Amending Act. The Notification runs as under :—

> "In exercise of the powers conferred by sub-section (2) of Section 1 of the Industrial Disputes (Amendment) Act, 1965, (35 of 1965), the Central Government hereby appoints the 1st day of December 1965, as the date on which the said Act shall come into force."

This means that Section 2A came into force with effect from 1st December 1965. It runs as under :—

> "Where any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with or arising out of such discharge, dismissal or retrenchment or termination shall be deemed to be an industrial dispute net withstanding that no other workman nor any union of workmen is a party to the dispute"

11. Mr. Narasimha urges that the present dispute shall have to be deemed to be an industrial dispute under Section 2A of the Act. But it should be noted here that Narasimha's service has been terminated with effect from 1st February 1965, whereas Section 2A has come into force an 1st December 1965. So, it follows that, Narasimha can notget the benefit of Section 2A, unless we find that Section 2A is retrospective in effect. According to the general principles of law, all legislations are prespective in effect and operation, unless they are made retrospective specifically are by necessary implication. To find out if the legislation has a retrospective effect, we shall have to examine the language employed by the legislature. The language employed is " when any employer discharges etc.," the dispute " shall be deemed to be an industrial dispute ". All these words indicate that the provision is only prospective and not retrospective. If it were the intention of the legislature to make the provision retrospective in effect and operation, it could have said that " when any employer discharges or has discharged an individual employee " or words to that effect It could have also said " shall be deemed and/or shall be always deemed to have been an industrial dispute " or used words conveing such a meaning. But such words or pharses have not been employed in Section 2A of the Act. Morevoer, Section 1 (2) of the Amending Act says that the amended provision should come into effect on such future date as the Central Government. appoints, Even this

provision indicates that Section 2A was always intended to be prospective—and prospective from the date that the Central Government would appoint at a future date. Hence I am of the view that Section 2A would be appliciable only to cases of discharge, dismissal, retrenchment, termination etc., that take place only on and after 1st December 1965 and would not cover such cases that have taken place prior to that date. It may also be noted that Section 2A of the Act bestows a substantial right to an individual workman, if he is dischared, etc,, to have the dispute adjudicated under the Industrial Dispute Act. This is not merely procedural law. It does not give merely a choice of forum, The rights conferred on a workman under the Industrial Disputes Act, are very much higher than those we gets under the common law of the land. Considering, therefore, all these facts and circumstances, and particularly the language employed by the legislature in Section 2A of the Act, I am of the view that the said section is not at all retrospective but only prospective in effect and operation. Narasimha having been discharged, dismissed, or terminated before 1st December 1965, he can not seek the aid of Section 2A of the Act to say that the present dispute is an industrial dispute.

12. Another question may also have to be considered in this connection. , The present order of Reference has been made by the Government on 30th November 1966. Admittedly Section 2A has come into force on 1st December 1965. Can this dispute be deemed to be an industrial dispute in view of the fact that Section 2A was in force on the date on which the order of Reference was made? The answer to this question also shall have to be in the negative. After all, an order of Reference, shall have to be made by Government on the cause of action accrued to the concerned workman. It shall have to have a direct bearing on the cause of action. If the cause of action has accrued to a workman before the appointes date, that is 1st December 1965, and the legislature has not made Section 2A retrospective in effect and operation, the Government can not give him the right envisaged by this section, by making the Reference under Section 10, on a date subsequent to the appointed date. By making the Reference on a subsequent date, the Government cannot give the workman a right, which Section 2A itself has not given him with respect to a cause of action accrued before 1st December 1965. To so construe the provision would mean, that Government would have powers higher than that of the Legislature. The Government can refer only an

industrial dispute for adjudication under Section 10 of the Act. A duty is cast on the industrial court to examine the question whether the referred dispute is an industrial dispute, whatever be the date of Reference. If the industrial court finds that what is referred to it for adjudication is not an industrial dispute, it can not get jurisdiction to adjudicate upon it. In my opinion, therefore the date of Reference by Government, would not at all be material for the decision of the question whether the dispute referred for adjudication is or is not an industrial dispute.

13 In view of these conclusions reached by me, I hold that the present dispute is not an industrial dispute and hence this court has no jursdication to adjudicate upon it and record my findings on the third and the fourth issues accordingly.

14. In view of my findings on the third and forth issues, I cannot go into or adjudicate upon any of the remaining issues formulated above. The reference requires to be rejected on the ground that the referred dispute is not an industrial dispute.

15 **Hence I proceed to make an Award as under :**

AWARD

This Reference is rejected on the ground that the dispute referred for adjudication is not an industrial dispute and hence this court has no Jurisdiction to adjudicate upon it. I make no order as to costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

'COPY'

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER

Bangalore dated 6th Novemebr 1967.

S. O. 2163.—WHEREAS by State Government Order No. LMA 535 LLD 66, dated 30th November 1966 the Industrial Dispute between the Workmen and the Management of M/s. Rajesh Trading Co., 33/1, Ganigarpet, C. R. Temple Road, Avenue Road Cross, Bangalore-2, was referred to the Labour Court, Bangalore for adjudication.

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore are pealsed to direct the publication of the said award as above in the *Mysore Gazette*.

[No. LMA 535 LLD 66.]

By Order and in the name of the Governor of Mysore,

1481 G. G. PUROHIT, *Under Secy.*

CORRIGENDUM.

Bangalore, dated 10—13th November 1967.

S. O. 2169.— In Notification No. CI 76 EMI 66, dated 16th January 1967 for "130 Acres (52-61 Hectares) of land in part of F. S. No. 147, 148 and 154" appearing in para 1, the following shall be substituted :

"135 Acres (54.63 Hectares) of land in part of F.S. Nos. 147, 148, 154 and 155".

[No. CI 39 EMI 67.]

By Order and in the name of the Governor of Mysore,

1438 N. NARAYANASWAMY, *Under Secy.*

S. O. 2170.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Soapstone to Messrs. Mysore Minerals Ltd., in the following areas of the Arsikere Taluk, Hassan District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Jadagatta Appenahalli	51,46 and 45 24,25, 21,30 29 and 27	600 Acres (242–81 Hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions.

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a Prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other "substance prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence;

5 The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the Licence if the Licensee so desired and to recover the cost of the same from the Licensee;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence;

9 The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him;

10 The licensee shall, before the licence is issued to him, deposits as security a sum of Rs. 200 in respect of

every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically; and

12. The licensee shall not give any ore-raising contract during the prospecting stage;

13. The abovementioned area is subject to verification after actual survey.

[No. Cl 219 EPO 67.]

By Order and in the name of the Governor of Mysore.

1441 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION

Bangalore, dated 10—13th November 1967

S.O. 2171.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese and Iron ore to Shri/ P. S. Doddanavar in the following areas of the Supa Taluk, North Kanara District, on the terms and conditions mentioned below:—

Village	*S.Nos.*	*Area*
Vand	F. S. No. 15 and 4	160 Acres (64-75 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2–50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting Licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ;

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The above mentioned area is subject to verification after actual survey and ;

14. Subject to the special condition that the licensee shall have no right to claim any compensation from Government if the area gets submerged consquent to the execution of Kalinadi Hydro Electric Project before the expiry of the Prospecting Lincence.

[No. CI 136 EPI 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY, *Under Secy.*

REVENUE SECRETARIAT.

ORDER.

Bangalore, dated 8th November 1967.

S. O. 2172.— In exercise of the powers conferred by clause (*a*) of sub-section (1) of Section 9 of the Mysore Stamp Act. 1957 (Mysore Act 34 of 1957), the Government of Mysore being of the opinion that it is necessary in public interest so to do, hereby remits the duties chargeable under the said Act in respect of the following instrument namely:—

Instrument executed by the widow or/children of a member of the Armed Forces of the Union killed in action subject to the condition that a certificate by the Officer Commanding or the Officiating Officer Commanding of the unit to that effect shall be produced before the registering authority before whom the instrument has to be registered.

[No. RD 94 EST 67].

By Order and in the name of the Governor of Mysore,

1432 A. M. SHYAMPRASAD, *Under Secy.*

EDUCATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 14th November 1967.

S. O. 2173.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction fresh affiliation of the S. B. V. V. Sangha's S. S. Khuba's Arts College, Basavakalyan, to the Karnatak University, for teaching Pre-University Arts and B. A., Part I courses for a period of one year from June 1967 subject to the conditions laid down by the Karnatak University. The Management must satisfy the University that it will maintain the College without Government Grants. Further, the College must also satisfy Karnatak University before the next financial year regarding its financial soundness.

[No. ED 112 UAC 67.]

By Order and in the name of the Governor of Mysore,

1437 S. N. SREENATH, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION.

Bangalore, dated 21st October 1967.

S. O. 2174.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Bantwal and Belthangady Taluks of South Kanara District, the situation and limits of which are specified in the schedule hereto annexed, as a reserved forests;

(ii) appoints the Forest Settlement Officer, Mangalore to be the Forest Settlement Officer for purposes of clause (c) of the said section; and

(iii) appoints the Divisional Forest Officers, Mangalore and Coondapur to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner, of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections, 11 12 and 13 of the Said Act.

SCHEDULE.

Name of the District	...	South Kanara.
Name of the Taluks	...	Bantwal and Belthangady.
Name of the Villages.	...	Uli and Tekkar Villages.
Name of the Block	...	Uli Block I.
Survey Field numbers	...	80 of Uli Village and 64/1 of Tekkar Village.
Extent	...	281.80 Acres.

Boundary description.

'Bit–I'

North:—Starting from the station No. 53, a point situated at the newly constructed cairn No. 53, the demarcation line of the proposed bit I of the block runs in North-East direction to station No. 54, a distance of 350 links.

Thence it runs in Eastern direction to station No. 55, a distance of 364 links. From there it runs in South-East direction a distance of 328 links to reach the station No. 57, passing through the intermediate station 56. Thence it runs in almost Southern direction, a distance of 649 links to reach the station No. 61, passing through the intermediate stations 58 to 60. From there it runs in almost South-East direction a distance of 1,114 links to reach the station No. 65, passing through the intermediate stations 62 to 64. Thence it runs in North-East direction to station No. 66, a distance of 214 links. Again it runs in Eastern direction to station No. 67, a distance of 269 links. Thence it runs in South-East direction to station No. 68, a distance of 178 links. Thence it runs in almost North-East direction a distance of 327 links to reach the station No. 70 passing through the intermediate station 69 From there it runs in almost Eastern direction to a distance of 545 links to reach the station No. 72, passing through the intermediate station 71. Thence it runs in almost North-East direction a distance of 467 links to reach the station No. 74, passing through the intermediate station 73. From there it runs in almost Northern direction a distance of 755 links to reach the station No. 77, passing through the intermediate stations 75 and 76. From there it runs in almost North-East direction a distance of 400 links to reach the station No. 79, passing through the intermediate stations 78. Thence it runs in South-East direction to station No. 80, a distance of 251 links. Again it runs in Eastern direction to station No. 81, a distance of 285 links. Thence it runs in almost North-East direction a distance of 867 links to reach the station No. 84, passing through the intermediate stations 82 and 83. Thence it runs in almost South-East direction a distance of 381 links, to reach the station No. 86, passing through the intermediate station 85. Thence it runs in South-West direction a distance of 550 links to reach the station No. 88, passing through the intermediate station 87. From there it runs in Southern direction to station No. 89 a distance of 279 links. From there it runs in South-East direction to station No. 90, a

distance of 279 links. Thence it runs in almost Southern direction a distance of 721 links to reach the station No. 93 passing through the intermediate stations 91 and 92. From there it runs in almost South-East direction a distance of 825 links to reach the station No. 97, passing through the intermediate stations 94 to 96. Thence it runs in almost North-East direction a distance of 941 links to reach the station No. 100, passing through the intermediate stations 98 and 99. From there it runs in North-West direction a distance of 906 links to reach the station No 103, passing through the intermediate stations 101 and 102. From there it runs in almost North-East direction a distance of 508 links to reach the station No. 105, passing through the intermediate station 104. Thence it runs in almost Northern direction a distance of 445 links to reach the station 107, passing through the intermediate station 106. From there it runs in North-East direction a distance of 684 links to reach the station No. 110, passing through the intermediate stations 108 and 109. Thence it runs in Northern direction a distance of 292 links to reach the station No. 111 which is a point situated at the cairn No. 1 of the proposed 'Uli Block II.' There onwards the line runs along the demarcation line of the proposed 'Uli Block II' in almost South-East direction a distance of 611 links to reach the station No. 114, passing through the intermediate stations 112 and 113. From there it leaves the demarcation line of the 'Uli Block II' and runs in South-West direction to station No. 115, a distance of 345 links. There on wards it runs in almost Southern direction distance of 1406 links to reach the station No. 121, passing through the intermediate stations 116 to 120. Thence it runs South-West direction to station No. 122, a distance of 157 links. From there it runs in Southern direction to station No. 123, a distance of 300 links. From there it runs in almost South-East direction a distance of 598 links to reach the station No. 125, passing through the intermediate station 124. Thence it runs in almost Eastern direction to station No. 126, a distance of 247 links. From there it runs in North-East direction to station No. 127, a distance of 350 links. From there it runs in almost North-East direction a distance of 664 links

to reach the station No. 129, passing through the intermediate station 128. Thence it runs in almost Northern direction a distance of 830 links to reach the station No. 132, passing through the intermediate stations 130 and 131.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degree F. B.	Distances in links
1	2	3	4
53	54	55½	350
5	55	95½	364
55	56	135	151
56	57	140	177
57	58	183½	240
58	59	187½	133
59	60	195	124
60	61	205½	152
61	62	106½	293
62	63	128½	368
63	64	101	210
64	65	94½	243
65	66	62½	244
66	67	88½	269
67	68	125	178
68	69	40½	265
69	70	66	62
70	71	84	319
71	72	91	226
72	73	46½	212
73	74	46½	255
74	75	13	250
75	76	2	263
76	77	12	242
77	78	35	190
78	79	26	210
79	80	115	251
80	81	98½	285
81	82	78	223
82	83	70	166

1	2	3	4
83	84	83½	478
84	85	118½	148
85	86	144	233
86	87	211	167
87	88	222½	383
88	89	185½	279
89	90	148	279
90	91	159	223
91	92	172½	266
92	93	152	242
93	94	121	135
94	95	164	172
95	96	153	198
96	97	105	320
97	98	59	200
98	99	66	312
99	100	32	429
100	101	326½	485
101	102	329½	154
102	103	331½	267
103	104	80	149
104	105	69	359
105	106	13	288
106	107	357	157
107	108	44	258
108	109	48	244
109	110	40½	182
110	111	6½	292
111	112	126	166
112	113	13½	232
113	114	116½	153
114	115	240½	345
115	116	206½	190
116	117	184	190
117	118	207	250
118	119	199½	316
119	120	200½	170
120	121	203	290
121	122	231	157
122	123	177½	300
123	124	143½	322
124	125	119	276

1	2	3	4
125	126	81	247
126	127	333½	350
127	128	62	344
128	129	38	320
129	130	350½	340
130	131	359½	270
131	132	26½	220

East :—Thence the demarcation line runs in almost South-East direction a distance of 882 links to reach the station No. 136, passing through the intermediate stations 133 to 135. From there it runs in almost South-West direction a distance of 880 links to reach the station No. 138, passing through the intermediate station 137. Again it runs almost in South-East direction a distance of 1003 links to reach the station No. 140, passing through the intermediate stations 139. From there it runs in almost Southern direction to station No. 141, a distance of 360 links. Therefrom the line runs inalmost South-West direction a distance of 2582 links to reach the station No. 4. passing through the intermediate stations 142 to 3. Thence it runs in almost southern direction a distance of 683 links to reach the station No. 6. passing through the intermediate station No. 5 From there it runs in South-West direction a distance of 415 links to reach the station No. 8, passing through the intermediate station 7. From there it runs in Southern direction to station No. 9, a distance of 300 links.

Bearings and distances from station to station are as follows :—

Station Numbers From	To	Bearings in degree in F. B.	Distance in links.
132	133	111	160
133	134	136	222
134	135	137½	250
135	136	140½	260

1	2	3	4
136	137	228	480
137	138	204	400
138	139	137½	513
139	140	119½	490
140	141	190	369
141	142	213	400
142	143	245	488
143	1	242	739
1	2	251½	476
2	3	225½	268
3	4	212½	211
4	5	174½	98
5	6	165	185
6	7	219	247
7	8	225	168
8	9	190	300

South.—Thence the demarcation line runs in almost Western direction a distance of 805 links to reach the station No. 11, passing through the intermediate station 10. Therefrom it runs in almost North-West direction a distance of 1117 links to reach the station No. 14. passing through the intermediate stations 12 and 13. From there it runs in almost South-West direction to a distance of 1530 links to reach the station No. 19, passing through the intermediate stations 15 to 18. Thence it runs in North-West direction to station No. 20, distance of 246 links Thence it runs in Northern direction to station No. 21, a distance of 256 links. From there it runs in North-East direction to station No. 22 a distance of 740 links. Thence it runs in North-West direction to station No. 23, distance of 365 links. Again it runs in almost North-East direction to station No. 24, a distance of 258 links. Thence it runs in Eastern direction to station No. 25, a distance of 270 links. From there it runs in almost North-East direction a distance of 583 links to reach the station No. 27, passing through the intermediate station 26. Therefrom it runs in almost North-West direction a distance of 1104 links to reach the station No. 30, passing

the intermediate stations 28 and 29. From there it runs in South-West direction to station No. 31, a distance of 337 links. From there it runs in western direction to station No. 32, a distance of 283 links. Therefrom it runs in almost South-West direction a distance of 1032 links to reach the station No. 35 passing through the intermediate stations 33 and 34. Thence it runs in almost Southern direction a distance of 495 links to reach the station No. 37 passing through the intermediate station 36. Thence it runs in South-West direction to station No. 38, a distance of 400 links. From there it runs in almost North-West direction a distance of 462 links to reach the station No. 40 passing through the intermediate Station 39 Again it runs in South-West direction to station No. 41, a distance of 310 links. Again it runs in almost North-West direction a distance of 390 links to reach the station No. 43, passing through the intermediate station 42.

Bearings and distances from station to station are as follow:—

Station Numbers From	To	Bearings in degrees in F. R.	Distances in links
1	2	3	4
9	10	253	163
10	11	271	642
11	12	34 ½	205
12	13	8 7½	574
13	14	331	335
14	15	2 9	2 0
15	16	260	262
6	17	25· ½	333
17	18	207	4·4
18	19	193	211
19	20	812	246
20	21	8 3	256
21	22	17	740
22	23	826	3·5
23	24	·3½	2 8
24	25	91½	270
25	26	6 ½	327

1	2	3	4
26	27	36½	256
27	28	325½	277
24	29	3 [illegible]½	413
29	30	293	409
30	31	250	337
31	32	267	283
32	33	321½	511
33	34	249	198
34	35	247	291
35	36	1 6	301
36	37	203	195
37	38	257	400
38	39	311½	214
39	40	249	248
40	41	251	311
41	42	297	233
42	43	311	187

West :—Thence the demarcation line runs in almost North-East direction a distance of 1217 links to reach the station station No. 48, passing through the intermediate stations 44 to 47. From there it runs in North-West direction a distance of 9_2 links to reach the station No. 50, passing through the intermediate stations 49. Therefrom it runs in almost Northern direction a distance of 1474 links to reach the station 5 , passing through intermediate station 51. From there finally it runs in North West direction a distance of 321 links to reach the station No. 53, which is the starting point of the 'bit 1'.

Bearings and distances from station to station are as follows .—

Station Numbers From	To	Bearings in degree in F. R.	Distance in links
1	2	3	4
43	44	2 ½	158
44	45	17	340
45	46	48½	215

1	2	3	4
46	47	32	161
47	48	90	243
48	49	105	201
49	50	101	721
50	51	316	512
51	52	½	912
52	53	295	321

'Bit II'

North.—Starting from the station No. 33, a point situated at the newly constructed cairn No. 34, the demarcation line of the Bit II runs in almost North-East direction in the following bearings a distance of 1574 links to reach the station No. 37, passing through the intermediate stations 34 to 36.

Station Numbers From	To	Bearings in degree in F B.	Distances. in links.
33	34	65	523
34	35	66	400
35	36	39	512
36	37	55	233

East.—Thence the demarcation line of the bit II runs in South-East direction a distance of 142 links to reach the station No. 1, which is a point situated South-West of cairn No. 10, of the bit I at a distance of 2 08 links. From there it continues in almost South-East direction a distance of 1939 links to reach the station No. 5 passing through the intermediate stations 2 to 4. Thence it runs in Southern direction to station No. 6, a distance of 293 links. From there it runs in South-East direction a distance of 522 links to reach the station No. 8, passing through the intermediate station 7 Thence it runs in almost South-West direction, a distance of 551 links to reach the station No. 10, passing through the intermediate station 9.

Bearings and distances from station to station are as follows:—

1	2	3	4
37	1	130	142
1	2	142	320
2	3	130½	373
3	4	141½	4 6
4	5	157½	180
5	6	182	293
6	7	152	3?0
7	8	152	1?2
8	9	192½	290
9	10	195½	262

South:—Thence the demarcation line of the bit II runs in North-West direction a distance of 688 links to reach the station No. 12, passing through the intermediate station 11. From there it runs in Northern direction to station No. 13, a distance of 500 links. From there it runs in almost North-West direction a distance of 1126 links to reach the station No. 15, passing through the intermediate station 14. Thence it runs in South-West direction to station No. 16, a distance of 664 links. From there it runs in Southern direction to station No. 17, a distance of 180 links. Thence it runs in almost South East direction a distance of 847 links to reach the station No. 19, passing through the intermediate station 18. From there it runs in South-West direction to station No. 21, a distance of 412 links. Thence it runs in almost Southern direction a distance of 1168 links to reach the station No. 22, passing through the intermediate station 21. Thence it runs in South-East direction to station No. 24, a distance of 342 links From there it runs in South West direction to station No. 24, a distance of 164 links. Therefrom the line runs in almost North-West direction a distance of 1218 links to reach the station No. 27, passing through the intermediate stations 25 and 26.

Bearings and distances from station to stations are follows :—

1	2	3	4
10	11	320½	290
11	12	313	398
12	13	356	500
18	14	332½	456
14	15	36½	170
15	16	23½	664
16	17	18	180
17	18	11	505
18	19	130½	3.2
19	20	20	412
20	21	16½	568
21	22	177	605
22	23	153½	344
23	24	207½	162
24	25	273	276
25	26	290	785
26	27	3 9	1 7

West :—Thence the demarcation line of the bit II runs in Northern direction to station No. 8, a distance of 443 links. From there it runs in almost North-Wes direction a distance of 1092 links to reach the station No. 30, passing through the intermediate station 29. Thence it runs in North-East direction to station No. 31, a distance of 521 links. Again it runs in Northern direction to station No. 32. a distance of 332 links. Again it uns in North-West direction a distance of 320 links to reach the station No. 33, which is the starting point of the bit II.

1	2	3	4
27	28	3½	443
28	29	291½	500
29	30	3 0	592
30	31	37	521
31	32	4	332
32	33	318	320

Starting point of bit II.

Right of ways:

(i) A road enters the bit VI of block between cairn Nos. 33 and 34 and gets bifurcated inside the block. One branch of which comes out, between cairn Nos. 21 and 22 and goes to 'Kadeshwalya'. The other branch comes out between cairn Nos. 31 and 32 and goes near 'Maramada Byle'.

Other Privileges

(a) Free grazing of cattle by villagers.

(b) Free removal of green manure leaves for *bona fide* use by ryots.

(c) Free removal of dry fuel for *bona fide* use by villagers.

[No. AFD 104 FAF 67.]

By Order and in the name of the Governor of Mysore,

1314 M. A. MECOAI, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT.

NOTIFICATION.

Bangalore-1, dated 14th November 1967.

S.O. 2175.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957. the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Kyanite to Messrs. Dada Limes and Minerals in the following areas of the Sringeri Taluk, Chikmagalur District, on the terms and conditions mentioned below :—

Village/s.	*S. Nos.*	*Area.*
Kavadi	70	14-38 Acres (5-81 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of Two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the license i- so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage ;

13. The above mentioned area is subject to verification after actual survey.

[No. CI 215 EPO 67.]

By Order and in the name of the Governor of Mysore,

N. NARAYANASWAMY,
Under Secretary.

1456

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the workmen and the management of Hindustan Machine Tools, Ltd., Bangalore.

Award of the Additional Industrial Tribunal, Bangalore—Published.

Read the following papers :

(i) Letter No.A. I. T. No. 674-5/67-68, dated 7th November 1967 from Sri V. C. Ramachandran, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 6th November 1967.

PRESENT

Sri V. C. Ramachandran, B.A., B.Sc., A.R.C.S., Bar-at Law,
... *Presiding Officer.*

A. I. D. No. 24 of 1967.

The Workmen of Hindustan Machine Tools, Ltd., Bangalore
... *I Party.*

Vs.

The Management of Hindustan Machine Tools, Ltd., Bangalore
... *II Party.*

APPEARANCES.

For the 1st Party.—Sri K. P. Satchindranath, Vice President, INTUC, Bangalore.

For the 2nd Party.—Sri B. P. Bopanna, Advocate, Bangalore.

REFERENCE

Government Order No. FCL 620 LLD 67, dated 11th September 1967.

AWARD

This is a Reference made by the Government of Mysore of the industrial dispute between the workmen and the management of the Hindustan Machine Tools, Ltd., Bangalore, under Section 10 (1) (d) of the Industrial Disputes Act, 1947, the said dispute being with regard to the justification of the employees of Hindustan Machine Tools, Ltd., demanding 20 per cent of their salary as Profit Sharing Bonus for the year 1966 67 and if not to what quantum of Profit Sharing Bonus, they are entitled to for the said year 1966-67 ?

2. The case of the employees is that the Hindustan Machine Tools Ltd., is a prosperous concern and has been making large profits by sales of machinery throughout the country and also abroad and that the said prosperity of the Company should be shared by the employees who are given wages hardly sufficient to meet the rising cost of living. They further submit that the gap between the living wage and the actual wage had been very wide and bonus is claimed to fill in that gap to a certain extent as the workers had contributed to the prosperity of the Company. They contend that they are entitled to adequate and substantial bonus to fill in the wide gap between the living wage and the actual wage. The employees pray that they may be given maximum bonus under the Payment of Bonus Act, 1965 for the said year, 1966-67.

3. The II Party refers to an order passed by the Government of India, dated 17th October 1967 under which in exercise of the powers conferred by Section 7-B and sub sections (1A) and (5) of Section 10 of the Industrial Disputes Act, 1947, the Central Government constituted a National Tribunal at Calcutta and referred the very same dispute viz., the Demand of the workmen of Hindustan Machine Tools, Ltd., Bangalore, for payment of Bonus at the rate of 20 per cent of their salary for the year 1966 67, to the said National Tribunal for adjudication along with certain other disputes with which we are not concerned. The position is, therefore, that the same dispute has been referred by the Government of Mysore to this Tribunal and by the Central Government to the

National Tribunal at Calcutta. In those circumstances, the provisions of Section 10(6) are attracted according to which where any reference has been made under sub-section (1A) to a National Tribunal, then notwithstanding anything contained in this Act, no Tribunal shall have jurisdiction to adjudicate upon any matter which is under adjudication before the National Tribunal and reference before the Tribunal in which it is pending shall be deemed to have been quashed on such Reference to the National Tribunal.

3. In the result, in view of the provisions of Section 10(6) of the Industrial Disputes Act, 1947, I make the following Award:

This Tribunal has no jurisdiction to adjudicate upon the matter referred to it in view of the fact that the same dispute has been referred by the Central Government to the National Tribunal and accordingly, the reference is deemed to have been quashed.

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial
Tribunal, Bangalore

ORDER

Bangalore, dated the 13th November 1967.

S. J. 2176.—WHEREAS by State Government Order No. FOL 620 LLD 67, dated 11th September 1967, the Industrial Dispute between the Workmen and the Management of Hindustan Machine Tools Ltd., Bangalore was referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS this dispute was transferred to the A. I. T., Bangalore by G. O. No. LMA 595 LLE 66, dated 17th December 1966.

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. FOL 620 LLD 67.]

By Order and in the name of the Governor of Mysore

1448 G. G. PUROHIT, *Under Secy.*

Revenue Secretariat.

NOTIFICATION.

Bangalore, dated the 6th November 1967.

S. O. 2177.—Whereas the State Government considers that for the purpose of providing opportunities of training as Tahsildar for the Probationer of the Indian Administrative Service, it is expedient to appoint him as Special Tahsildar for a Taluk to exercise such powers and discharge such duties as are exercised and performed by a Tahsildar

Now, therefore, in exercise of the powers conferred by sub-section 1 of Section 12 of the Mysore Land Revenue Act, 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby sanction the appointment for the said purpose of one Special Tahsildar for Belgaum Taluk in Belgaum Division for a period of two months.

[No. RD 334 ASG 67]

By Order and in the name of the Governor of Mysore,

K. O. Puttavarasiah,
Under Secy.

1452

NOTIFICATION.

Bangalore, dated the 16th November 1967.

S. O. 2178.—In exercise of the powers conferred by sub-section (3) of Section 12 of the Mysore Land Revenue Act 1964 (Mysore Act 12 of 1964), the Government of Mysore hereby appoints Sbri C. Gopal Reddy, I. A. S., Probationer as Special Tahsildar of Belgaum Taluk, for a period of two months from 7th November 1967 to 6th January 1968.

He shall exercise all the powers and perform all the duties as are exercised and performed by a Tahsildar under the Mysore Land Revenue Act, 1961, during the said period.

[No. RD 331 AEG 67.]

By Order and in the name of the Governor of Mysore,

K. C. PUTTANARAIAH,
Under Secy.

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Bloro.

PART IV

Section 2-C—(ii)

STATUTORY ORDERS ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS.

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Sri Basheer Ahmed, No. 1; Miller Tank Road, Bangalore-1.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 823/67-68, dated 25th October 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 25th day of October 1967.

Present :

Sri P. T. Kadkol, B.SC., LL.B. ... *Presiding Officer.*

Reference No. 19 of 1967.

Smt. Arleen Ottaman, 13/A, Asoka Road, Cooks Town, Bangalore-5. ... *First Party.*

Vs.

The Management of Sri Basheer Ahmed, No. 1 Miller Tank Road, Bangalore-1. ... *Second Party.*

Reference : Government Order No LMA 66 LLD 67, dated 15th February 1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Sri Basheer Ahmed, Bangalore have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 66 LLD 67, dated 15th February 1967, setting out the following points of dispute for adjudication:—

> "Is Sri Basheer Ahmed, Proprietor of Azras Poultry Equipment, No.1 Millor Tank Bund Road, Bangalore-1 justified in terminating the services of the typist Miss Arleen Ottman? If not, what is the relief Miss Arleen Ottman, 12/A, Asoka Road, Cooks Town, Bangalore-5 is entitled to?"

2. The aggrieved worker in the case is Miss Arleen Ottman. The dispute relates to the alleged termination of her service by "Sri Basheer Ahmed, Proprietor of Azras Poultry Equipment, Bangalore." This Reference has been made by the Government, presumably, under Section 2A of the Industrial Disputes Act, read with Section 10 (1) (c) thereof, since her cause has not been sponsored by any Trade Union and it is also not known whether the other workers or any of them, in the Establishment, have supported her cause.

3. She has put in the statement of her claims; dated 18th March 1967. She has described herself as the First Party. Then she has mentioned the Second Party to be "The Management, Shri Basheer Ahmed No. 1 Miller Tank Bund Road, Bangalore-1.". The averments made by her, therein, are these:—

> The Second Party appointed her as a Typist on 1st December 1965, on a salary of Rs. 100/- p.m. telling her that the appointment was permanent; she worked till 15th June 1966; on that day, she was told by the Second Party, Mr. Basheer Ahmed that as he was going to Bombay and from there to Mauritius to leave his daughter there, she need not attend office for 15 days; hence she did not attend office till 30th June 1966; on 1st July 1966, she went to the office to resume her duty; she however found another typist working there; then Basbear Ahmed and his wife told her that her services had been terminated; this termi-

nation is unjust and illegal; hence the Management should be directed to reinstate her in her former post with full back wages and continuity of service, etc.

4. Since Basheer Ahmed was specifically mentioned as the proprietor of the Establishment, notice was issued to him to submit his statement of objections. On 5th April 1967 he submitted his written objections, as under:—

He is not running any industrial concern; he had employed Arleen Ottmann as a part-time typist for his personal work, with effect from 1st March 1966; but she left the job voluntarily; the dispute referred, is not an Industrial Dispute and Arleen Ottmann is not a "workman" as defined in the Industrial Disputes Act; hence this Reference should be rejected, etc.

5. After the above statement of objections was submitted, I directed the issue of notice to the Management of Azras Poultry Equipment, along with a copy of the claim statement, calling upon it, to submit its objections, if any. In response thereto, Mrs Zainab Basheer (wife of Basheer Ahmed) appeared as the proprietress of Azras Poultry Euipment and submitted her statement of objections, dated 15th July 1967. The contentions raised by her are these:—

She is the proprietress of the Azras Poultry Equipment; this Establishment had never employed Arleen Ottmann in any capacity; she had been employed by Basheer Ahmed for his private work, unconnected with the Establishment; hence she can not have any cause of action against the Establishment and therefore, this Reference should be rejected, etc.

6. On these pleadings, the following issues have been framed (*Vide* Order sheet dated 24th July 1967) and set down for hearing:—

1. Does Miss Arleen Ottmann prove that she was employed by the Second Party the Azras Poultry Equipment, Bangalore?
2. Who is the owner of the Azras Poultry Equipment Basheer Ahmed or Zainab Basheer?
3. Does Miss Arleen Ottmann prove that she has been dismissed from service or employment has been refused to her?

4. Is she entitled to reinstatement with or without back wages ?

5. What Award ?

The parties were asked to lead evidence on these issues. Arleen Ottmann has examined hirself (W. W. 1) and closed her case. Basheer Ahmed has examined himself as M. W. 1. Nissar Ahmed, the son of Basheer Ahmed and Zainab Basheer, has examined himself as M. W. 2. Nine documents produced by him have been marked Exts. M. 1 to M. 9. This is all the evidence in the case and I now proceed to discuss it.

7. This is a very peculiar case. Admittedly, there is one Establishment knows as "Azras Poultry Equipment," at Bangalore. It is a factory, which manufactures poultry equipment. It is housed in the premises bearing No. 1, Miller Tank Bund Road, Bangalore. There is also a Bungalow on the premises and in that Bungalow stay, Basheer Ahmed, his wife Zainab Basheer and their son, Nissar Ahmed. Basheer Ahmed has stated that the Bungalow belongs to his wife, she having purchased it. The factory is stated to have been started about 8 years back. The factory has been registered and the licence therefor has been issued, in the name of Zainab Basheer (*vide* Ex. M. 3)

8. Basheer Ahmed has stated that he has no interest either in the factory or in its Management. He claims to own some shops and get rent from them. From his statement, it does not appear that he is doing anything else. Even then, he has stated :—

> "I had employed Arleen Ottmann to do my personal typing work, consisting of typing my letters. I write 2-3 letters, a day. For typing these 2-3 letters I had employed Arleen . ...She has not done any work for the Second Party factory. Arleen was my personal employee. I do not take any part in the Management or affairs of the second party factory. It is true that my wife is a paradanishin lady. She has appointed Nissar Ahmed as Manager and gets work done from him..."

9. Nissar Ahmed has given his age as 22 years. He has stated that he and his parents live together and that the factory belongs to his mother. Then he has stated

that he has been appointed by his mother as the Manager of the factory on a salary of Rs. 150 per month and that he has been working as Manager since the last four years. As regards Arleen Ottmann he has stated that he had seen her working with his father and has added that his father does not take any part in the management of the factory. Then with regard to the factory, he has stated :—

> "In the factory, we have not employed any typist. There is one typewriter in the factory. It belongs to the factory. The factory has to do some typing work also. Either I do the typing or my mother does it. My father uses the factory typewriter for his private correspondence. It was on this very typewriter that Arleen was doing typing work, when employed by my father.....The typing work of the factory per month would be about 50 pages consisting of 30 to 40 letters..... .My mother, my father and myself do not know the "touch system" of typewriting and follow the "hunt and peck" method."

10. On the other hand Arleen Ottmann has stated that she was doing the typing work of the factory. The question now is, which of the two rival versions should be believed.

11. It may be that the Factory has been registered in the name of Smt. Zainab Basheer. When she, her husband and son (a boy of 22) are living together, under one roof and the factory also is being run on the same premises, it is very difficult to believe that Sri Basheer Ahmed does not take any part in the Management of the Factory, more especially when, Smt. Zainab Basheer is a paradanishin lady, and Nissar Ahmed is so young. Running a factory and dealing with the workmen employed therein, is not a very easy job. When Basheer Ahmed aged 48 years, presumably having sufficient experience is available, it is but natural to expect him to look after the management of the factory in preference to Nissar Ahmed. Moreover, besides the interested testimony of the father and the son, there is no independent evidence to show that Nissar Ahmed is really the Manager of the Factory. No correspondence of the factory, wherein Nissar Ahmed has signed as Manager, has been produced before me to vouch the truth of the statement. The probabilities that Basheer Ahmed must be taking part and that too an active part in the Management of the Factory, are very high.

12. Then we find that Mr. Basheer Ahmed needs a typist for typing 2 or 3 letters a day, if we are to accept his word. In this context, it is hard to believe that the factory, which has an equal number of letters, if not more, to type does not require a typist. According to Nissar Ahmed, his mother can type, his father can type and he too can type. Also according to him, his father was doing his own typing work before employing Arleen Ottmann and has also been doing it, after she left. Then there is only one typewriter and it belongs to the factory and it was on this typewriter that Arleen Ottmann used to work In the face of these facts stated by Nissar Ahmed it is very difficult and almost impossible to believe that Arleen was not doing the typing work of the factory and was not employed for the purpose of doing the typing work of the factory It should not have been very difficult for the Second Party to prove that Arleen Ottmann was not doing the typing work of the factory. If some correspondence emanating from the factory had been produced, it would have disclosed whether the typing work was made under the "touch-system" or the "hunt and peck" method. There would be a very remarkable distinction between the two, apparent even to a non-expert eye. If the typewritten work of the factory showed that it was not made by the "touch system" there would have been some scope for accepting the version of M. W. 1 and M. W. 2. As matters stand, there is none.

13. The Second Party however points out some documents to show that Arleen Ottmann was in the employ of Basheer Ahmed. The first is Ex. M. 1. It is a representation made by Arleen Ottman to the Labour Officer, Bangalore on 1 th July 1966. Therein she has said that she was working with Basheer Ahmed and her service had been illegally terminated by him and his wife. In this letter, there is no mention of the Azras Poultry Equipment. When the Labour Officer called for the remarks of Basheer Ahmed, he has sent the reply dated 26th July 1966 and it is at Ex. M.2. He had said therein that Arleen Ottmann had been appointed as a part time typist purely on a temporary basis and she had quitted the job voluntarily and neither he nor his wife had informed her that her services were no longer required. He too has not referred to the Azras Poultry Equipment, in Ex. M.2. The documents at Exts. M. 4 to M. 9 are the attendance Registers and payment registers of the Establishment *i. e.*, Azras Poultry Equipment. The name of Arleen Ottmann does not appear in them. On the basis of these documents, it is urged that Arleen

Ottmann cannot have been the employee in the Establishment. Taking first the documents at Exts. M.4 to M. 9, I do not think that the non-mention of Arleen Ottman's name in them, can be given any importance. Even the name of Nisar Ahmed does not appear in them. Still, he claims to be the monthly salaried Manager of the Establishment. The name of Arleen Ottmann might not have been mentioned in them because she was on the clerical establishment or for the very reasons if any, for which Nissar Ahmed's name has not been mentioned in them. Then as regards Ex. M. 1 1, have already expressed my view that Basheer Ahmed must have been taking part in the Management of the Establishment. Admittedly Basheer Ahmed appointed Arleen Ottmann. That may be the reason why she has said in Ex. M.1 that she was working with Basheer Ahmed. Hence I cannot attach much importance to it. Considering all the facts and circumstances before me, I hold that Arleen Ottmann was appointed in the Establishment and record my finding on the first issue in the affirmative.

14. The second issue raises the question as to who is the owner of the Establishment. It may be that Smt. Zainab Basheer is the owner thereof as stated by M. W.1 and M. W.2. It is at least registered (*Vide* Ex. M.3) in the name of Smt. Zainab Basheer. In view of my finding on the first issue, it is immaterial as to who is the owner of the Establishment.

15. According to Arleen Ottmann, her service was terminated by Basheer Ahmed and his wife telling her on 1st July 1966 that her services were no longer required. According to Basheer Ahmed, one day he found that Arleen Ottmann had not filed the letters properly; when questioned by him, she told him that he might employ some one else if he was not satisfied with her work hence he paid her 15 days salary which was in arrears and asked her to go away (*Vide* para 3 of his deposition). In his written statement (para 1) he has said :—

> "In fact the First Party, *i. e.*, Miss Arleen Ottmann settled her amount on 15th June 1966 and abandoned from work subsequently."

In his reply to the Labour Officer (*vide* Ex. M.2), he has said :—

> "She settled her amount on 15th June 1966 and abandoned from work subsequently. She has left her service

> voluntarily and abruptly on 15th June 1966 causing great inconvenience to the day-to-day typing."

The account given by Basheer Ahmed in his deposition before the court clearly shows that he paid Arleen Ottmann 15 days salary in arrears and asked her to go away. "Asking her to go away" cannot mean anything else than saying that her services were terminated. Hence I hold that employment was refused to her and record my finding on the third issue accordingly.

16. Now coming to the fourth issue, I find that Arleen Ottmann does not want reinstatement now. She has stated in her deposition :—

> " I do not want to go back and work in the Second Party concern now, as they may again do me the same thing and send me away. I may be awarded compensation. I was out of job for one year. Suitable compensation may be awarded by the Court (*Vide* Para 4).

In face of this statement made by her, Arleen Ottmann need not be directed to be reinstated. I record my finding on the fourth issue accordingly.

17. The next question would be what Award should be made in the case. I have come to the conclusion that Arleen Ottmann has been refused employment. This refusal of employment is not justified. In other words, it is wrongful. Her appointment appears to be on temporary basis. Admittedly her salary per month was Rs. 100. In these circumstances, I think that Rs. 100 by way of notice pay and Rs. 100 as compensation,

on the lines of retrenchment would meet the ends of justice. Hence I make an Award as under :—

AWARD

Reference is accepted. The Second Party, which is the Management of Azras Poultry Equipment, Bangalore, is directed to pay a sum of Rs. 200 to Miss Arleen Ottmann in full settlement of all her claims. Parties do bear their own costs.

(Sd/-) P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

"COPY"

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

ORDER.

Bangalore, dated 6th November 1967.

S. O. 2190.—WHEREAS by State Government Order No. LMA 66 LLD 67; dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of Sri Basheer Ahmed No. 1, Miller Tank Road, Bangalore-1, was referred to the Labour Court Bangalore for adjudication;

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 66 LLD 67.]

By Order and in the name of the Governor of Mysore,

1413 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT
(LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Commonwealth Tile Factory, Jeppu, Mangalore. Award of the Labour Court, Hubli : Published.

Read the following papers

1. Letter No. 1521/67-68, dated 24th October 1967 from Shri Syed Azizuddin Ahmed, Presiding Officer, Labour Court, Hubli.

IN THE LABOUR COURT AT HUBLI.

Dated: 24th October 1967.

Reference (ID) (LCH) No. 36 of 1967

Present :

Shri Syed Azizuddin Ahmed, M.A., B.L., ... *Presiding Officer.*

Between

The Workmen of the Commonwealth Tile Factory, Jeppu, Mangalore represented by the General Secretary, South Kanara Tile Workers' Union, Mangalore. ... *I Party*

and

The Management of Commonwealth Tile Factory, Jeppu, Mangalore, ... *II Party.*

This is an reference Under section 10 (1) (c) of the Industrial Disputes Act, 1947 made by the Government of Mysore in their Order No. LMA 238 LLD 66, dated 10th May 1967. The points of dispute referred for adjudication are as under :—

Are the Management of Commonwealth Tile Factory, Jeppu, Mangalore Justified in dismissing the 8 workers *viz.*, (1) Smt. Bhavani, (2) Smt. Lakshmi (3) Smt. Kalyani, (4) Sri Narayana Nayak (5) Shri Devappa, (6) Shri Monappa, (7) Shri Nagappa and (8) Shri Domappa Belchade?

If Not, are the workers entitled for reinstatement with back wages ;

If not, to what other benefits are the workers entitled ?

2. The cause of the aggrieved workmen has been sponsored and espoused by the South Kanara Tile Workers' Union, Mangalore represented by its General Secretary. Sri B. Koragappa

Rai, General Secretary of the Union appeared for the I Party while Sri S. R. Giri, Manager, appeared for the second. In response to the notices issued by the Court, the I Party files its claim statement. No counter-statement was filed by the II Party. In the meantime, the parties, having compromised the dispute sent a joint memo of settlement to the Court.

3, When the case was takenup for hearing at Mangalore camp on 20th October 1967, both the representatives of the parties admitted before me the execution of the joint memo of settlement, dated 28th September 1967 and the same was verified by me.

AWARD

The award is passed in terms of the joint memo of settlement marked Annexure A. The same shall be made part of the award. The parties shall bear their own costs.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

Place : Hubli.
Date : 24-10-1967.

ANNEXURE "A"

BEFORE THE LABOUR COURT, HUBLI.

Reference (ID) (LCH) No. 36 of 1967

Between

The Workmen of Commonwealth Tile Factory, Jeppu, Mangalore, represented by the General Secretary, South Kanara Tile Workers' Union, Bolar, Mangalore. ... *I Party*

and

The Management of The Commonwealth Tile Factory, Jappu, Mangalore ... *II Party*

Joint Statement by the Parties

The Government of Mysore by Order No. LMA 238 LLD 66 dated 10th May 1967 referred the following points of dispute for adjudication by this Hon'ble Court :

"Are the Management of Commonwealth Tile Factory, Jeppu, Mangalore justified in dismissing the 8 workers *viz.* 1. Smt. Bhavani, 2 Smt. Laxmi, 3. Smt. Kalyani, 4. Sri Naravana Nayak. 5. Sri Devappa. 6. Sri Monappa, 7. Sri Nagappa and 8. Sri Doomappa Belchade?

If not, are the workers entitled for reinstatement with back wages; if not, to what other benefits are the workers entitled".

The dispute was taken on the file of this Court as ID (I.CH) No. 86 of 1967; and is pending adjudication.

During the pendency of the dispute before this Court, the parties had direct negotiations as a result of which the following settlement is arrived at:

Terms and Conditions

(1) The Second Party Management agrees to treat the dismissal of the 8 workers as resignation by them.

(2) The Second Party management agrees to pay each of the 8 workers (a) Gratuity and (b) Rs. 100 each *ex-gratia.*

(3) The First Party Union agrees that they have no other claim monetary or otherwise against the Management.

(4) The I and II Parties agree that the amount as as per clause (2) of the agreement shall be handed over to the General Secretary of the Union, (who shall duly execute a receipt for the amount so paid), for the disbursement to the 8 workers.

(5) The Receipt given by the Secretary shall absolve the management of all liabilities under clause (2) of the Settlement.

(6) The I and II Parties pray that this Hon'ble Court be pleased to pass an award in terms of this settlement.

Dated this the 28th day of September, 1967.

Witnesses:
(1) Sd: XXX
(2) Sd: XXX

Sd/-
For and on behalf of the *I Party*
THE S. K. TILE WORKERS UNION,
Regd. No. 1406, BOLAR MANGALORE.

Sd/-
For and on behalf of the *II Party*
THE COMMONWEALTH TRUST LTD.
Deputy General Manager in India.

Sri B. Koragappa Rai, General Secretary of the I Party Union and Sri S. R. Giri, Manager of the II Party admitted before me the execution of this joint memorandom of settlement. Hence, verified.

Sd/-

Sd : B. Korgappa R i. *Presiding Officer, Labour, Court, Hubli.*

Sd : S. R. Giri. 20—10—1967.

Place : Hubli.
Date : 24-10-1967.

SYED AZIZUDDIN AHMED,
Presiding Officer,
Labour Court, Hubli.

ORDER.

Bangalore, dated 13th November 1967.

S. O. 2191.—WHEREAS by State Government Order No. LMA 238 LLD 66, dated 10th May 1967, the Industrial Dispute between the Workmen and the Management of Commonwealth Tile Factory, Jeppu, Mangalore was referred to the Labour Court, Hubli for adjudication,

AND WHEREAS the Labour Court has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above in the *Mysore Gazette*.

[No. FCL 238 LLD 66.]

By Order and in the name of the Governor of Mysore,

1449 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Siddeswar & Co., (P) Ltd, Hubli.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers:—

(1) Letter No. I.T.No. 1214-15/67-68, dated 4th November 1967 from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated: 31st October 1967.

Present :

Shri A. Panchakshariah, B.A. (Hons.), LL.B. *Presiding Officer.*

I.D. No. 208 of 1966.

The Workmen of Siddeswar & Co. (P) Ltd., Hubli.
I Party

Vs.

The Management of Siddeswar & Co. (P) Ltd., Hubli.
II Party

APPEARANCES

For the I Party: Sri M. A. Kutty, President, Siddeswar & Co. (P) Ltd., Worker's Union Hubli.

For the II Party: S. V. Kadkol, Secretary, Sri Siddeswar & Co. (P) Ltd., Hubli.

Reference :

(G. O. No. LMA 596 LLD 66 dated 26th December 1966).

AWARD

The Workmen of Siddeshwar & Co. (P) Ltd., Hubli, represented by its President, Siddeshwrr & Co. (P) td., Workers' Union, Hubli, placed a demand before the II Party-

Management, known as Siddeshwar & Co. (P) Ltd., Hubli, for bonus for the year ended 3rd November 1964. The matter was conciliated by the Assistant Labour Commissioner and since the Parties did not agree for any settlement, a failure report was sent to Government on the basis of which the Government of Mysore referred this dispute for adjudication under Section 10 (1) (d) of the Industrial Disputes Act, 1947 in their Order No. LMA 596 LLD 66, dated 26th December 1966. The dispute was registered as I. D. No. 208 of 1966 and notices were sent to both the Parties to put in their respective claims.

2. The I Party-Workers' Union is represented by Mr. M. A. Kutty, President, Siddeshwar & Co. (Hubli) (P) Ltd. Workers' Union, Hubli and the Second Party is represented by the Secretary of Siddeshwar & Co., (Hubli) (P) Ltd.

3. The I Party put in a claim statement on 17th February 1967 in the course of which the I Party pleaded as follows:—

The I Party made demands for implementation of Labour Court Orders, Dearness Allowances, permanancy of workmen and other demands including bonus equivalent to three months' wages to be paid to all workmen through their letter dated 3rd September 1965 for the year 1963-64. The II Party did not pay heed to this letter of demands and as a consequence of which there was a strike from 7th September 1965 and ended on 19th September 1965. The strike ended in a settlement between the I Party Union and the Management on 19th September 1965 before the Conciliation Officer as per law. In the Settlement the demand for bonus for the year 1963-64 was not settled. This demand was raised by the I Party in September 1965. The demand for payment of bonus to workmen for the year ended 3rd November 1964 was admitted in conciliation and was concluded on 23rd September 1965 without reaching any settlement. The demand for bonus equivalent to 3 months' wages to all the workmen, the I Party contends that it is a reasonable demand especially in view of the fact that the II Party has been making huge profits.

It is contended by the I Party that there are two concerns run by the same Proprietors and both these concerns are owned by them though the transactions are kept separately to deprive the workers of all the benefits out of the profits. Industry No. 1 is the Siddeshwar & Co. Hubli, Private Ltd. Hubli, where the workmen are actually engaged or appointed to work. Concern No. 2 is Siddheswar & Co. The Directors of the Limited Concern

are also the directors of the second concern. Both these concerns are managed by the same directors and the profits obtained from both these concerns are distributed among them. The Siddeshwar & Co., Hubli (P) Ltd, Hubli, is manufacturing the goods when Siddheswar & Co., Hubli, are stocking and selling the same goods and obtaining huge profits. The profits by way of sales obtained by the Siddheswar & Co., Hubli are not brought into accounts of the Siddheswar & Co., Hubli Private Ltd., Hubli. By this the workmen employed in Siddheswar & Co, Hubli (Private) Ltd., Hubli, are subjected to exploitation and losses in their legitimate shares. The Siddheswar & Co., Hubli (P) Ltd, Hubli, has made huge profits in collusion with Siddheshwar & Co., Hubli for the year 1963 64 and the workers, therefore, are entitled to get bonus for the year 1963-64 at three months' wages. The above industry is very sound and is a leading Engineering Industry of its type in Hubli. It is, therefore, prayed that the accounts of both the concerns be summoned for verification and the total net profits be arrived at. The I Party, therefore prays that an Award may be passed entitling each of the workers to get 3 months wages as bonus from Siddheswar & Co., Hubli, Private Ltd. for the years 1963-64.

2. The II Party filed a counter statement questioning the correctness of the Statement made in the claim statement by the I Party. Messrs. Siddheshwar & Co,. (Hubli) Private Ltd., Bangalore Road, Hubli are the manufacturers of various types of Steel security equipments and furniture and the workers now in dipute are the workers of this Company. Messrs. Siddheshwar & Co. Station Road, Hubli are the Sole Selling Agents for the products manufacturered by Messrs. Siddeshwar & Co. (Hubli) Private Ltd, by virtue of a Sole Selling Agreement executed between the two parties and are allowed Commission on the basis of sales effected by them It is submitted the Constitution of both the concerns is entirely different. The former Company is an incorporated Company under the Companies Act, 1956 while the latter is a registered firm. Amongst the other Partners the Directors are partners in the registered Company of Siddeshwar & Co, Station Road, Hubli. There is an agreement between these two firms. It is, therefore, contended by the II Party that to call both these firms as one firm is absolutely wrong. The Balance Sheets and Profits & Loss Accounts for both these Companies are drawn up separately and income tax assessments are also done separately. Therefore, the two Firms are separate entities altoge ther. Regarding the Bonus for the year 1963.64, it is submitted

by the II Party that the workmen are not entitled to any bonus because the Company has sufferred a net loss of Rs. 36,517-40 It is also pleaded that during the year in question, the workers have been paid an amount of Rs. 11,476-60 P. on *ex-gratia* basis in accordance with the Agreement and hence the I Party workmen are not entitled to any bonus for the period in question. On these grounds, the II Party has prayed that the claim of the I Party be dismissed.

3. Mr. Kutty, representative of the I Party, filed an application and requested the Tribunal to implead Messrs. Siddheswar & Co., Station Road, Hubli, as a Party to this Dispute. This was objected to the II Party on the ground that the two firms are different entities with nothing in common. After hearing arguments I passed orders on 23dr June 1967 rejecting the application of the I Party to bring on record Messrs. Siddheshawar & Co., Station Road, Hubli. The matter was taken up by the I Party in Writ Petition No. 1780 of 1967 on the File of the Hon'ble High Court under Articles 226 and 227 of the Constitution of India, and their Lordships of the High Court rejected the Application as there are no grounds for entertainiag the same.

4. On the strength of these pleadings, two Issues were framed by me in addition to the points of dispute which are referred to me. The case was then taken up for evidence at my Hubli Camp on 26th October 1967 when the I Party examined one witness and closed the case on his side and the II Party also examined one witness and closed the case on their side. During the course of arguments, Mr. Kutty, who represented the I Party, admitted that the workmen of the I Party have received a sum of Rs. 11,476.69P, but he contended that was not paid towards bonus but the same was paid in pursuance of the agreement to enhance the wages of the workmen. The I Party has filed two documents. They are Exts. W. 1 and W. 2 Ext. W. 1 is a copy of the Agreement dated 19th September 1965 and Ext. W. 2 is a copy of the demands placed by the I Party before the Assistant Labour Commissioner. It is dated 24th June 1966. Ext. M. 1 dated 18th September 1964 is a copy of the Agreement produced by the II Party and Ext. M. 2 is a copy of the Balance Sheet for the concerned year. Taking these two documents with the evidence of M. W. 1, it is clear that the demand of the workmen for bonus for the year 1963-64 cannot be said to be barred nor can it be said that the payment of Rs. 11,476.69 was towards the payment of bonus for the year in question. M. W. 1 has produced Ext. M-1

a copy of the Agreement dated 18th September 1964. As per this Agreement (Ext. M. 1) the Management agreed to give additional wage of Rs. 25P per day per worker from November 1963 to all the employees and this amount was paid in three instalments making up all-told Rs. 11,476 69. This has nothing to do with the claim for bonus. Moreover, Ext. M. 1 is an earlier document dated 18th September 1964 according to which it is contended by the II Party that the workmen had agreed to withdraw the pending demands and disputes including the demand for bonus either with the conciliation officer or with the Government. This would refer only to the claim for bonus for the year 1962 63 and not for the period in question. According to Ext W. 1 which is of a subsequent date, the demand for bonus under clause No. 9 was not pressed only for the time being but that does not mean that the workmen have given up their right to press for bonus for the year 1963-64. M. W. 1 in an unmistakable terms admitted that after 18th September 1964 that is after the date of Ext. M. 1, there was an agreement on 19th September 1965 as per Ext. W. 1. He further admits that Ext W. 1 supercedes the Ext. M. 1. According to me it is true that clause 9 of Ext W. 1 the demand for bonus equal to 3 months wages for 1963-64 and that is for this bonus the present demand is raised by the workers. He persisted in saying that there was conciliation in this respect and no settlement was arrived at in the conciliation. Therefore, it is clear that the contention raised at the time of the argument by the II Party that the workmen have given up their demand under Ext M. 1. *viz.* Bonus for 1963-64 does not survive. Similarly on Issue No 1, the II Party has to fail. My finding on Issue No. 1 is that the I Party workmen are entitled to put in a claim for bonus in spite of the fact that they were paid Rs 11,476-69 in 1963-64 under an Agreement.

7. I now come to the question of Bonus itself.—whether there is any available surplus for the I Party workmen to claim bonus for the year 1963-64. The II Party has produced the balance sheet for the year 1963-64 and the same has been marked as Ext. M. 2. M W-1 has sworn to this balance sheet Ext. M. 2. The accounts are audited by Messrs. Abhyankar & Co., chartered accountants. Mr. M. A. Kutty, who appeared for the I Party did not question the validity of the Balance Sheet or the relevancy of this balance sheet. For our purpose of Bonus Issue or for the purpose of finding out if the II Party has made any profit for the year in question, the balance sheet is the best piece of evidence and since it is an audited balance sheet by the Chartered

Accountants, it has all the value as held by many decisions of the Supreme Court. M. W. 1 sworns that for the year in question for which the bonus is claimed the II Party has sustained a loss of Rs. 36,517·40 P. There is no available surplus for the I Party workmen so claim bonus for the year in question. The I Party workmen would be entitled to bonus only if they are able to prove that the II Party had made any profits for the year in question or from showing there is any profit for the year in question. The I Party has failed miserably to show that there has been any available surplus or even allocable surplus for the payment of bonus. I, therefore, find that the II Party has not made any profit for the year ending 3rd November 1964 to pay bonus to its workmen. Accordingly, I answer the Reference in the negative and my finding is that the workmen of M/s. Siddeshwar & Co., Hubli (Pvt) Hubli, are not entitled for the payment of bonus for the year ended 3rd November 1964.

8. In the result, the Reference fails and the same is rejected. In the circumstances, each Party will bear its costs.

A. PANCHAKSHARIAH
Presiding Officer,
Industrial Tribunal,
Bangalore.
31-10-67

ORDER.

Bangalore, dated 13th November 1967.

S. O. 2192.—WHEREAS by State Government Order No. LMA 596 LLD 66, dated 26th December 1966, the Industrial Dispute between the Workmen and the Management of Siddeswar & Co., (P) Ltd, Hubli was referred to the Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 596 LLD 66.]

By Order and in the name of the Governor of Mysore,

1447 G. G. PUROHIT, *Under Secy.*

PUBLIC WORKS SECRETARIAT

NOTIFICATION.

Bangalore, dated 17th November 1967.

S.O.2194.—In exercise of the powers conferred by sub-section 4 of Section 6 read with sub-section 3 of Section 12 of the Mangalore Port Trust Act, 1953, the Government of Mysore hereby appoints Sri S. K. Mudigonda, Divisional Operating Superintendent, Southern Railway, Olavakkot to be a Trustee of the Mangalore Port Trust Board for a period of two years.

[No. PWD 42 PMT 67.]

By Order and in the name of the Governor of Mysore,

1471 B. U. VENKATARAMANAIAH, *Under Secy.*

Education Secretariat.

NOTIFICATION.

Bangalore, dated 14th—17th November 1967.

S. O. 2195.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction fresh affiliation of the A.V. Kamalamma College for Women, Davangere to the Mysore University, for teaching the following courses :—

(*i*) *Pre-University Course* (*Arts*) :

History, Economics, Logic.
History, Economics, Political Science.

(*ii*) *Pre-University Course* (*Commerce*) :

History, Economics, Commerce.

(*iii*) *Pre-University Course* (*Science*) :

Physics, Chemistry, Mathematics (64 students).
Physics, Chemistry, Biology (64 students).

(*iv*) *B. A. Degree* (*1st year*) :

Economics, Sociology (Majors), Political Science (Minor). Economics, Sociology (Majors) History (Minor). Sociology, Political Science (Majors), Economics (Minor).

(*v*) *B. Sc., Degree* (*1st year*) :

Botany, Zoology (Majors), Chemistry (Minor) (48 students).

for a period of one year from June 1967 subject to the conditions laid down by the Local Inquiry Committee as also to the condition that the management must satisfy the University that it will maintain the college without Govt. grants and also that the College must satisfy the Univerasity before the next financial year about its financial position.

[No. ED 43 UAC 67.]

By Order and in the name of the Governor of Mysore,

S. N. Sreenath, *Under Secy.*

1454

REVENUE SECRETARIAT

NOTIFICATION.

Bangalore, dated 17th November 1967

S. O. 2196.—In exercise of the powers conferred by clause (e) of Section 3 and sub-section 2 of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) as amended by Mysore Act 17 of 1961 and in modification of (i) Notification No. RD 143 AQM 67, dated 23rd August, 1967 (ii) Notification specified in the Schedule, empowering the Assistant Commissioner, Nanjangud to perform the functions of the Deputy Commissioner under the Act, the Government of Mysore hereby with effect from the date of publication of this Notification in the *Mysore Gazette*,

(*a*) appoints the Special Land Acquisition Officer, Nanjangud to perform the functions of a Deputy Commissioner, under the said Act;

(*b*) authorises the said Special Land Acquisition Officer, his staff and workmen to exercise the powers conferred by sub-section (2) of Section 4 of the said Act;

(*c*) authorises the said Special Land Acquisition Officer to perform the functions of a Deputy Commissioner under Section 5-A of the said Act in respect of all proceedings relating to the acquisition specified in notification mentioned in the schedule :

Schedule

No and date of Notification.	Part and Page No. of the *Gazette* in which notification under Section 4(1) *was published.*
RD 143 AQM 67	Part III-1, page 2153 of *Mysore Gazette*, dated 7th August 1967.

[No. RD 180 AQM 67.]

By Order and in the name of the Governor of Mysore,

A. M. SHYAMPRASAD,

Under Secretary to Government,
Revenue Department.

DEVELOPMENT, HOUSING, PANCHAYATI RAJ AND CO-OPERATION SECRETARIAT.

NOTIFICATION.

Bangalore, dated 13th November 1967.

S. O. 2197.—In exercise of the powers conferred by Section 187 of the Mysore Village Panchayats and Local Boards Act, 1959 (Mysore Act No. 10 of 1959), Government of Mysore hereby nominates the Deputy Director of Fisheries (Engineer), Mangalore in place of the Assistant Registrar of Co-operative Societies, puttur nominated in the Notification No. DRL 43 BAD 61 (1) dated 23 d December 1961, as a member of the District Development Council for the Revenue District of South Kanara constituted in the Notification No. LLH 89 BAD 59, dated 1st April 1960.

[No. DPC 28 BAD 67.]

By Order and in the name of the Governor of Mysore.

1464 A. M. J. SHAYKH, *Under Secy.*

AGRICULTURE AND FOREST SECRETARIAT

NOTIFICATION

Bangalore, dated the 11th November 1967.

S. O. 2198.—In exercise of the powers conferred by sub-Section (3) of Section 1 of the Mysore Animal Diseases (Control) Act, 1961 (Mysore Act 18 of 1961) the Government of Mysore hereby directs that the provisions of the said Act shall be in force in Subramanya Village in Sullia Taluk of South Kanara District during the period from 17th November 1967 to 1st December 1967 (both day inclusive).

[No. AF 465 VAD 67.]

By Order and in the name of the Governor of Mysore,

1445 M. S. NANAMAYA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 14th November 1967.

S.O. 2199.—In exercise of the powers conferred by Clause (a) of sub-section (1) of Section 5 of the Mysore Animal Diseases (Control) Act 1961 (Mysore Act 15 of 1961), the Government of Mysore hereby directs that all animals in Subramanya village in Sullia Taluk of South Kanara District shall compulsorily be inoculated in accordance with rules prescribed in this behalf.

[No. AF 465 VAD 67]

By Order and in the name of the Governor of Mysore,

1444 M. S. NANAMAYA, *Under Secy.*

NOTIFICATION.

Bangalore, dated 24th October 1967

S. O. 2200.—In exercise of the powers conferred by section 29 of the Indian Forest Act, 1927 (XVI of 1927), as in force in the Bombay area, the Government of Mysore is pleased to declare the area in the Sirsi Taluka of the North Kanara District, specified in the schedule hereto annexed, to be protected (Betta) forest, from the date of this notification.

SCHEDULE

Village	*S. No*	*Area*	*Boundaries—*
Dasanggdde	11-B/1	9-8-0	*North* : S. No. 11-B *East* : Village Boundary of hi. gl. *South* : F. S. No. 11-A. *West* : Road.

[No. AFD 79 FAF 66 (ii)]

By Order and in the name of the Governor of Mysore,

1457 M. W. WINTON, *Under Secy.*

NOTIFICATION.

Bangalore, dated 16th November 1967.

S. O 2201.—In exercise of the powers conferred by Section 4 of the Madras Forest Act, 1882 (Madras Act V of 1882), as in force in the Madras Area, the Government of Mysore hereby—

(i) declares that it is proposed to constitute the lands in the Karkal Taluk of South Kanara District, the situation and limits of which are specified in the Schedule hereto annexed, as reserved forest;

(ii) appoints the Forest Settlement Officer, South Kanara, Mangalore, to be the Forest Settlement Officer for purpose of clause (c) of the said Section; and

(iii) appoints the Divisional Forest Officer, Coondapur to attend on behalf of the Government at the inquiry conducted by the said Forest Settlement Officer.

Under Section 14 of the said Act, the Government of Mysore hereby appoints the Deputy Commissioner of South Kanara District to hear appeals on any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

SCHEDULE

Name of the District	...	South Kanara
Name of the Taluk	...	Karkala
Name of the Village	...	Kanajar
Name of the Block	...	Kanajar R. F. Extension Block Bit I, II and III
Survey field Number	...	131/1
Area	...	92.56 Acres.

Boundary description.—Bit I

North: Starting from the station No. 0, a point to the South-West of S. No. 108 of Sri Shekara Hegde, the demarcation line runs in the Eastern direction to station No. 2 through station 1 over 7.0 links. Then runs in the South-Eastern direction to station 4 through station 3 over 900 links. The bearing readings and the distances are follows—

Station From	Numbers To	Bearings in degrees in F. B.	Distances in links
1	2	3	4
0	1	85	320
1	2	94	460
2	3	129	540
3	4	103	360

East.—From station No. 4 the demarcation line runs in the Southern direction to station No. 6 through station 5 over 640 links. Then runs in the South-Eastern direction to station No. 8 passing through the intermediate station 7 over 9.0 links. Then runs in the South-Western direction to station No. 9 over 2.0 links. The bearing readings and distances are as follows.—

Station From	Numbers To	Bearings in degrees in F.B.	Distances in links.
4	5	175	420
5	6	174	220
6	7	153½	360
7	8	146½	5.0
8	9	201	260

South:—From station No. 9, the demarcation line runs in the Western direction to station No. 10 over 5.0 links.

Then runs in the North-West direction to station No. 13 passing through the intermediate stations 11 and 12 over 1320 links. Then runs in the Western direction to station No. 14 over 380 links. Then runs in the North-West direction to station No. 30B of R F. over 440 links. The bearing readings and the distances are as follows.—

Station Numbers From	To	Bearings in degrees in F. B.	Distances in links.
9	10	253	520
10	11	3·5	800
11	12	3·9	260
12	13	3·4	800
13	14	2·6	380
14	30B	299	440

West.—From station No 30B, the demarcation line runs in the Northern direction to station No. 0, through station No 29A over 980 links thus completing the traverse. The bearing readings and distances are as follows.—

Station Numbers From	To	Bearings in degrees in F.B.	Distances in links.
30B	29A	349½	320
29A	0	0	660

Bit II

From station No 30B of Bit I, a tie line has been drawn to station 31 of R. F. at 0s° and 1400 links. Then the line runs in the South-West direction to station No. 19 through stations 15 to 18 over 1960 links. Then runs in the North-West direction to old station No. 33 through station No. 20 over 800 links. Then it runs to the East along the old boundary of the Reserve Forest to station No. 31 through station 32A 32 and 30B over 2380 links. The distances and the bearing readings are as follows.—

Station From	Numbers To	Bearings in degrees in F. B.	Distances in links
31	15	216½	200
15	16	246½	460
16	17	2·5	4·0
17	18	251	540
18	19	26	320
19	20	50½	100
20	33	31½	400
33	32A	105½	400
32A	32	10	240
32	30B	78	1210
30B	31	73	600

Bit III

A tie line from station 33 of bit is drawn to station 0 of bit III at 293° and 1900 and links.

North.—From station No. 27 the demarcation line runs in the North-East direction to station No 31 through stations 28 and 30 over 1400 links. Then runs in South-Eastern direction to station No. 32 over 510 links. Then runs in the Southern direction to station No. 33 over 510

links. Then again runs in the South-Eastern direction to station No. 34 over 420 links. Then runs in the Eastern direction to station No. 36 old station over 510 links. The bearing and the distances are as follows.—

Station From	Numbers To	Bearings in degrees in F. B.	Distances in links
27	28	63	300
28	29	63	2 0
29	30	96	361
30	31	20	540
31	32	126	540
32	33	176	540
33	34	140	420
34	35 (old cairn)	96	540

East.—From station No. 36 (old cairn), the demarcation line runs to the South along the old Reserve boundary to station No. 34 through stations 35A and 35 over 1560 links. Thence runs in the Eastern direction to station No. 0 over 340 links. Then runs in the Southern direction to station No. 1 over 3 0 links. The bearing readings and distance are as follows :—

Station From	Numbers To	Bearings in degrees in F. B.	Distances in links
(Old cairn) 36	35A	1 7	760
3 A	35	155½	440
35	34	158	360
34	0	83	340
0	1	85	320

South.—From station No. 1, the demarcation line runs in the Western direction to station No. 5 passing through intermediate stations 2, 3 and 4 over 1180 links. Then runs in the North-West direction to station No. 9 through

stations 6 to 8 over 1000 links. Then runs in the South-Western direction to station 12 through stations 10 and 11 over 760 links. Then runs in the Western direction to station No. 13 over 360 links. Then runs in the South-West direction to station No. 14 over 320 links. Then runs in the North-West direction to station No. 16 through the intermediate station 15 over 680 links. Then runs in the Western direction to station No. 18 through station No. 17 over 620 links. The bearing readings and distances are as follows:—

Station Numbers From	To	Bearings in degrees in N. B.	Distances in links
1	2	256	260
2	3	258	240
3	4	274	280
4	5	272½	340
5	6	297	260
6	7	294½	240
7	8	311	260
8	9	312	260
9	10	229	140
10	11	241	340
11	12	220	300
12	13	275	360
13	14	237	320
14	15	310	220
15	16	293	360
16	17	285½	340
17	18	251	280

West.—From station No. 18, the demarcation line runs in the North-East direction to station No. 24 passing through the intermediate stations 19 to 23 at a distance of 2200 links. Then runs in the North West direction to station No. 27 through station No. 25 over 820 links.

Thus completing the travers. The bearing readings and the distances are as follows.—

Station from	Numbers To	Bearings in degrees in F. F.	Distances in links
18	19	16½	480
19	20	85	860
20	21	46½	260
21	22	61	380
22	23	77	420
23	24	8[illegible]½	3[illegible]0
24	25	34[illegible]½	300
25	26	33½	380
26	27	318½	140

Rights of ways.—A cart track from Kanajar enters the block Bit I between cairn Nos. 8 and 9 runs to the North of the block and leaves the block between cairn Nos. 3 and 4 to Gudegungad. Another cart track from the same road leaves the block Bit I near cairn No. 14 and enters the Bit II near cairn No. 31, runs inside the block and then leaves the block to Pernanikila between cairn cairn Nos. 20 and 21. Another cart track from Kanajar enters the block Bit III between cairn Nos. 4 and 5, then runs inside the block and leaves the block to Pernanikila between cairns Nos. 23 and 24.

Other Privileges :—

(1) Free grazing of cattle by villagers inside the block;

(2) Free removal of green manure leaves for the *bona fide* use be the ryots;

(3) Free removal of dry fuel for the *bona fide* use by the villagers;

(4) Free removal of Muligrass for the *bona fide* use by the villagers.

[No. AFD 120 FAF 67.]

By Order and in the name of the Governor of Mysore,

1451 K. D. NAIK, *I/c Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 18th November 1967.

S.O. 2202.—In Notification No. CI 98 GMI 67 (1), dated 8th August 1967 published in the *Mysore Gazette*, dated 24th August 1967, the following entries shall be substituted in the schedule of the said Notification in lieu of the existing entries:—

	For		*Read*	
	Survey No.	Extent A. G.	Survey No.	Extent A. G.
Peenya	10	5-15	10	15-15

[No. CI 211 GMI 67.]

By Order and in the name of the Governor of Mysore,

1470 N. NARAYANASWAMY, *Under Secy.*

Food, Civil Supplies and Labour Secretariat

NOTIFICATION

Bangalore, dated 20th November 1967.

S.O. 2203.—In exercise of the powers conferred by Section 8 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), and all other powers enabling it in this behalf, the Government of Mysore continues the appointment of Shri V. C. Ramachandran, B Sc, (Lond.), Bar-at-law, a retired District Judge, as the Presiding Officer of the Additional Industrial Tribunal, Bangalore from 21st November, 1967 until further orders.

[No. FCL 312 LLE 67.]

By Order and in the name of the Governor of Mysore,

1468 G. G. Purohit, *Under Secy.*

ORDER.

Bangalore, dated the 20th November 1967.

S. O. 2204.—WHEREAS the Government of Mysore are of opinion that an Industrial Dispute exists between the Workmen and the Management of M/s. Karnatak Wood Distillates, Londa, on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

(i) Is the dismissal of Sri S. R. Konkar, Sri Ram Manmant, Sri Govind Laxman and Sri Abdul Talim by the Management of M/s. Karnatak Wood Distillates, Londa, legal?

if not, are they entitled for reinstatement with back wages or for any other relief?

(ii) Are the workers justified in demanding abolition of contract labour in the factory?

(iii) Are the workers justified in demanding full wages to the workmen, laid-off during the rainy season, for the lay-off period?

[No. FCL 575 LLD 67.]

By Order and in the name of the Governor of Mysore,

I 465 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated the 20th November 1967.

S. O. 2265.—WHEREAS the Government of Mysore are of opinion that an Industrial dispute exists between the Workmen and the Management of M/s. Common Wealth Trust Ltd., Hosiery Factory, Balmatta, Mangalore on the points noted below;

AND WHEREAS the Government of Mysore consider it desirable to refer the dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Government of Mysore hereby refer the said dispute for adjudication to the Labour Court at Hubli.

Points of Dispute.

"I. Is the Management of M/s. Commonwealth Trust Ltd., Hosiery Factory, Balmatta, Mangalore justified in terminating the services of Sri Appanna Chowta, Mali (Gardener) with effect from 1st September 1966?

II. If not, to what relief is the worker entitled?"

[No. FCL 759 LLD 67.]

By Order and in the name of the Governor of Mysore,

1469 G. G. PUROHIT, *Under Secy.*

ORDER.

Bangalore, dated the 9th November 1967.

S. O. 2295.—WHEREAS an Industrial Dispute existing between the workman and the management of Kirloskar Electric Company, Bangalore on the following issues was referred to the Additional Industrial Tribunal, Bangalore in Government Order No. PL 125 LTD 64, dated 24th February 1964 and the same was transferred to the Industrial Tribunal, Bangalore in Government Order No. LMA 2 0 LLE 64, dated 26th September 1964.

WHEREAS the Presiding Officer, Industrial Tribunal, Bangalore has now made a reference to Government to retransfer the dispute from the Industrial Tribunal to the Additional Industrial Tribunal, as there are many references pending disposal on the file of the Industrial Tribunal.

NOW, THEREFORE, in exercise of the powers conferred by sub-section 1 of Section 33-B of the Industrial Disputes Act, 1947 (Central Act No 14 o 1947), the Government of Mysore hereby withdraw the proceedings under the said Act before the Industrial Tribunal and transfer the said proceedings to the Additional Industrial Tribunal, Bangalore for disposal.

Points of Dispute

(*a*) Are the Management of Kirloskar Electric Company Ltd., Rajajinagar, Bangalore and M/s* (1) to (14) contractors, justified in terminating the services of the workmen listed in the Annexure.

(*b*) Whether the Union is justified in demanding their reinstatement with back wages?

If not, to what relief the workmen are entitled?

Srivathe —

*1	M. Ramaiah	6	Mr. B. M. Kiliappa	11	M. Arokiaswamy
2	S. Gangadharan	7	M. Madhava Nair	12	S. V. Dattatreya
3	Venkatachapathy	8	G. Narayan	13	Duraiswamy
4	K. Munivenkataswamy	9	Venkataram	14	Muniappa
5	Munisw.my	10	G. L. Varma		

[No. FC5 275 LLE 67]

By Order and in the name of the Governor of Mysore,

1421 G. G. PUROHIT, *Under Secy.*

ANNEXURE TO G. O. No. PLM 25 LLD 64, DATED 24TH FEBRUARY 1964.

List of workers under the Contractors of Kirloskar Electric Co., Ltd.,

				Years and months	Rs. P.
Contractor: Arokiaswamy					
1	M/s. B. G. Janardana Rao	B. K. Gopala Rao C/o M. Ramaiah & Sons Krishna Building, Avenue Road Bangalore-2	Painting Spl. Motor	0-2	1-50
2	R. Raja Rao	D. No. 15, Temple Street, Munireddy Palyam, Hebbal P. O. Bangalore-6	Do	Do	1-50
3	Narayana Rao	U-24, 7th Cross, Sriramapuram, Bangalore-21	Do	0-6	1-50
4	Krishna	D. No. 131, Milk Colony, Rajajinagar, Bangalore-10	Do	1-6	1-50
5	D. A. William	D. No. 16 Chick Bazar Road, Shivaji Nagar, Bangalore-1	Do	2-6	1-50
6	Mani	D. No. 10, 2nd Cross, Dayananda Nagar, Sriramapuram, Bangalore-21	Do	0-8	1-50
7	Venkatesh	M-24, 7th Cross, Sriramapura, Bangalore-21	Do	0-9	2-00
8	Anthony Kumar	D. No. 26, Chickbazar, Vasantha Nagar, Bangalore-1	Do	0-6	1-50
9	C. Kannan	D. No. 109, Milk Colony, Rajajinagar, Bangalore-10	Do	0-1	not fixed
Contractor: Sri Gangadara					
10	Venkataswamy	D. No. 157, 4th Block, Rajajinagar, Bangalore-10			

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				Years months	Rs. P.
11	Anjanappa	Yeswanthapur, Bangalore-22	Painting	1-6	1-50
12	Chikkaiah	F-14, Gayathree Nagar, Sriramapuram, Bangalore	Do	3-0	1-50
13	Subramani A.	D. No. 3, Stepping Road, Nehrupuram	Do	1-6	1-37
14	M. Sampath	C/o Arumugam D. No 39, II Cross, Saibaba Nagar, Bangalore-21	Do	1-6	1-50
15	Lakshman	F-14, Gayathree Nagar, Sriramapuram, Bangalore-21	Do	1-0	1-75
16	K. S. Ranganada	D. No. 1334, 5th Cross Sriramapuram, Bangalore-21	Do	0-6	1-25
17	Subramanya	D. No. 341, Ananpra Garden, Mysore Road, Bangalore City-19	Do	2-0	1-50
18	R. Jayaram	C/o Arumugam, D. No. 37, II Cross, Saibaba Nagar, Sriramapuram, Bangalore-21	Do	0-2	1-37
19	T. Venkatesh	D. 8754. Erranna Palya, Naganara P. O. Bangalore-6	Do	0-6	1-37
20	Ananda Murthy	No. 37, 6th Cross, Sreeramapuram, Bangalore-21	Do	0-6	1-25

Contractor : Kittappa

21	Rangaswmy	D. 24, Naravanaswamappa Buildings, Yeswanthpur, Bangalore	Packing	4-0	1-62
	Ramaiah	D. No. 23, I Main Road, Rajamahal Guttahalli, Bangalore-3	Do	3-0	3-75

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23	Muniappa	D. No. II, Subramanya Nagar, Srirampuram, Bangalore–21	Do	3–0	1–75
24	Narayana	D. No. 237, Subramanya Nagar, Sriramapuram, Bangalore–21	Do	3–0	1–62
25	Batrayappa	D No. 31, Subramanya Nagar, Srirampuram, Bangalore–21	Do	0–9	1–62
26	Gopala	D. No. 300, Subramanya Nagar	Do		
27	Narayanappa	D. No 23, I Main Road, Rajamahal Guttahalli, Bangalore–3	Do	0–2	1–50
28	Rangappa	D. No. 208, Subramanya Nagar	Do	0–9	1–25
29	Dasaratha	D. No. 114, Milk Colony, Rajajinagar, Bangalore–10	Do	0–6	1–87
30	M. Narayana	P–47, Gayatry Nagar, Srirampuram, B'lore–21	Do	0–3	1–12
31	Byrappa	No. D–1, Gunappa Garden, 8th Cross Road, Malleswaram, Bangalore–3	Do	0–3	1–12
32	B. R. Janardan	C/o C. S. Sundara Rao, 799/1 and Cross, Sriramapuram, Bangalore–21	Do	0–2	1–25
33	M. Muddaiah	D. No. F1, Gayatri Nagar, Srirampuram, Bangalore–21	Do	0–1	1–12
34	Ramachandra	D. No. 24, Kempaiah Block, Guttahalli, Bangalore–3	Do	3–0	1–37
35	Channakeshav	D. No. 120, Subramanya Nagar, Srirampuram, Bangalore–21	Do	3–6	1–75
36	H. Venkatesh	D. No. 261, Kiliari Road, Bangalore–2	Do	2–6	1–50
37	Madaiah Setty	D. No. 209, Subramanya Nagar, Siddappas Lane, Srirampuram, Bangalore–21	Do	2–6	1–62

				Years months	Rs. nP.
Contractor : Kittappa					
38	Ramamurthy	D. No. 120, Subramanyya Nagar, Srirampuram, Bangalore–21	Do	1–0	1–25
39	Chinnappa	D. No. Subramanya Nagar, Srirampuram Bangalore–21	Packing	0–2	1–50
40	Venkatesh	D. No. 31 Sarvodaya Nagar, Srirampuram, Bangalore–21	Do	2–6	1–87
41	Muthu	D. No. 84, Basyamnagar, Srirampuram. Bangalore–21	Do	1–0	1–25
42	Narasimhaiah	D. No. 29, Swimming Pool Extension, Srirampuram, Bangalore–21	Do	1–0	1– 2
43	Rangaiah	D. No. 34, Subramanyanagar, Srirampuram. Bangalore–21	Do	1–6	1–25
44	Siddangaih	D. No. 5 Hosalli, Bangalore	Do	0–1	1–25
45	Raogappa	D. No. 31, Subramanya nagar	Do	0–1	1–25
Contractor : G. Venkatesh Reddy (Factory Employee) :					
46	R. Janardan Rao	D. No. Munireddy Palya, Mathi Ramaiah Bk., Madavahally, Bangalore–6	Store Helper	0–6	1–75
47	Ramu	D No. 132, 6th Cross, Srirampuram, Bangalore–21	Do	1–6	1–75
48	Krishna	D. No 119, Subramanyanagar	Do	1–0	1–75
49	Venkatesh	D No. 95, Chinnakrishnappa Road, R. Guttahalli, Bangalore–3	Do	0–1	1–75
50	K. L. Lakshmana	D. No. 95/7, Kethamaranahalli, Rajajinagar, 1st Block, Bangalore–10	Do	1–1	1–75
51	Govinda Reddy	D. No. 1709, K. N. Extension, Yeswantpur	Do	0–9	1–75

52	Anjanappa	D. No. K. N. Extension, Yeswanthpur	Do	1-1	1-75
53	Narayana	D. No. 23, 3rd Cross, Srirampuram	Do	0-8	1-76

Contractor : G. Venkata Reddy

54	Nanjaiah	D. No. 1035, 6th Cross, Srirampuram, Bangalore-21	Store Keeper	1-6	1-75
55	K. M. Rangaiah	D. No 98, 1st Block, Rajajinagar, Bangalore-10	Do	1-1	1-75
56	D. Harikrishna	D. No. 146, Milk Colony, Rajajinagar, Bangalore 10	Do	0-6	1-75
57	Venugopal	D. No. 56, Ramachandrapura, Bangalore-21	Do	1-0	1-75
58	Jayaram Rao Jadav	D. No. 154, 7th Cross, Srirampuram, Bangalore	Do	1-0	1-75
59	Appaji Gowda	D No. J-109, Lakshminarayanapuram, Bangalore-21	Do	0-1	1-75
60	Muniswamy	D. No. E-8, Gayathrinagar, Malleswaram, Bangalore-3	Do	1-0	1-75
61	Kempaiah	D. No. 232, C/o Kempaiah, Subramanyanagar, Srirampuram, Bangalore-21	Store Helper	0-10	1-75
62	K. Ramu	D. No. 3714, 6th Cross, Srirampuram, Bangalore	Do	0-3	1-75
63	Nagaraj	D. No. 22, Makli, N lamangala Taluk	Do	0-6	1-75
64	Hanumaiah	C/o Madaiah, Subramanyanagar	Do	2-0	1-75
65	Munivenkatappa	Sunkanahatte, Bangalore North	Do	0-4	1-75
66	Gangaiah		Do	1-6	2-0
67	Muniappa	C/o Siddappa	Do	0-6	2-0
68	Appaji	6th Cross, Siddanada Ashram, Malleswaram, Bangalore	Do	0-3	1-75
69	Piran	Sweet Meet, Yeswantapur, Bangalore-21	Do	0-2	1-75

				Years Months	Rs. P.
70	Venkateswamy	C/o Hanumaiah, Neelagiri Papanna Block, Srirampuram P.O., Bangalore-21	Do	0-6	1-75
71	Venkatesh	Do	Do	0-2	1-75
Contractor : A. M. Mani					
72	G. Narayan	Q-7, Malleswaram, Maruthi Extension, Bangalore	Sanitary Barl Feeding Machine Grinding Nose Pain		
73	Anjanappa	Gayatrinagar	Do	3-0	1-75
74	Seenappa	Do. No. 22, Gayatrinagar, 7th Cross, Srirampuram, Bangalore	Do	3-0	1-75
75	Ramaiah	D. No. F-1, Gayatrinagar, Srirampuram, Bangalore-21	Do	2-0	1-75
76	Dasappa	Subedar Palya, Yeswantapur, Bangalore	Do	2-0	1-75
77	Mayanna	Gayatrinagar	Do	3-0	1-75
78	Huta'iah	F 35/ Gayatrinagar	Do	1-0	1-75
79	Ramakrishna	No. 96, 8th Cross, Muniappa Palya, Bangalore-21	Do	1-0	3-00
Contractor : Muniyappa					
80	Muddappa	U-117, Swatantranagar, Srirampuram, Bangalore-21		0-1	4-50

Contractor: Sri Venkataramana

81	Ramaiah	D. No. 26, Swatantra Palya, Bangalore–21.	Do	0–1	1–75
82	Venkatesh	No. 115, Sosantra Palya	Sanitary Bar/ Bending Machine Grinding Machine Packing Scrap stamp Sheet	0–2	1–75

Contractor : Bhadravathi Ramachandra Setty

83	V Narayan	D.No. 24, Kempaiah block, Venkataramapuram	Mechanic Fittings		1–75

Contractor : Munivenkatasamy

84	M S Kempiah	No. 421, N. R. Colony, Thyagarajanagar, Byrappa Block, Govindappa Doddi, Bangalore–4.			
85	Shanmugam	D. No. 235, 2nd Block, Rajajinagar, Bangalore–10.	Do	2–0	
86	Balan, M	C. Ganesh Laundry, 3rd Block, Rajajinagar	Do	2–0	2–00
87	Narayan Rao	No. 49, Madalinganaballi	Do	2–0	2–25
88	Raju	No. 6, Milk Colony, Rajajinagar	Do	0–6	1–37
89	Narayanaswamy	D. No. 10 , Gargantapalya	Do	1–0	1–50
90	Devaraj	D. No. 3, Ist Block, Kethamaranahalli, Rajajinagar	Do	1–0	1–50
91	Ganesh S	D. No. 69, Dayandanagar, 6th Cross. Sriramapuram, Bangalore–21	Do	0–6	1–50
92	Gangappa	D. 259, 2nd Block, Rajajinagar	Do	0–2	1–50
93	B. Somaraj	E/28, Kuppuswamy Naidu St., Vasanthanagar	Do	0–6	1–50

Contractor : Munivenkataswamy

				Yr. Mths	Rs. P.
94	K. M. Narayan	D. No. 38, Kethamaranhalli, 1st Block, Rajajinagar		0–2	1–50

Contractor : Venkatachalapathy

95	Siddappa	No. 48, 17th Cross, Malleswaram	Burr Removing Trolley man		
96	Gangadara	No. 7, Thiyagada Halli, Nelmangala Tq.	Do	1–0	1–50
97	Beguriah	E-60, Gayathrinagar, Pilla Chikkanna House	Do	1–0	1–50
98	Puttaiah	No. 138, Gopalakrishna, Iyer Colony, Errappa Block, Sriram puram, Bangalore-21	Do	2–0	1–50
99	Rudraiah	D. No. 18, Thyagarahally, Nelamangala Taluk	Do	1–0	1–50
100	Bojaiah	D. No. 232, C/o Kempaiah, Subramanyanagar, Srirampuram	Burr removing Trolley Man.		1–50
101	Krishna	S/o Thimmaiah, Mathigeri Road, Shivaji Building, Yeswanthapur	—do—	2–0	1–50
102	Ramaiah	V-43, Pipe Lane, Malleswaram, Bangalor-3	—do—	2–0	1–50
103	Sina	E 60, Gayatrinagar	—do—	0–7	1–50
104	Hanumaiah	... ...	—do—	2–0	1–50

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105	Sivanna	Dhoby Nagar, Nelagadanahalli, Begulgunte P. O.			
106	Sivarudraiah	D 87, Nalagadanahalli, Begulgunte P. O.	—do—	3–0	1–50
107	M. Gangaiah	D, 86, Nalagadanahalli Belgungunte P. O.	Bullock cart Driver	2–0	1–50
108	Beeraiah	D 83, Nalagadanahalli	—after cattles of the factory	5–0	1–62
109	Lingiah	Nalegandanahalli, Rajane Mane	Cart Driver	0–6	1–50
110	Munivenkappa	D 33, Nelagandanahalli, Yeswanthapuram, Bangalore North. Bagulgunte P. O. Bangalore–15	do (Water cart)	4–10	1–50
		D–68 Tolaheardra, Nagavara P. O. Bangalore–15	—do—		2–00
112	Krishna Reddy	Bendappa, Yeswantpur, Pipe Lane	Cart Driver	11–00	2–00
113	Papaiah	D 26, Palace Guttahalli, Munewara Block, Bangalore	Mali	8–0	2–00
114	Gangaiah	D 82, Nalagadanahalli	Glass cleaning	0–8	1–50
115	H. B. Lingiah	D 48. Malava'li Thimmiah Layout 13th Cross, 8 main Road, Malleswaram, Bangalore–3	—do—	1–6	1–50
		Rudraswara Building Yeswanthpur Pipe Lane, Bangalore	Cart Driver	8–0	

				Yr. Mths.	
117	Ramaiah	Vingiriappas House, Gayathrinagar, S. Puram Cart	Driver	7-0	
Contractor: Venkatachalapathy.					
118	Hanumaiah	D. No. 63, G Cart Dirver Geeganahalli, Morque, Bangalore.		0-9	1-75
		Sungadakatte, Bangalore North	Coolley men removing scrap boxes packings.	0-8	1-50
120	Byrappa	-do-	do	3-6	1-62
121	Munnerosa	-do-	do	0-5	1-50
122	Thimmaiah	1st Block, Rajajinagar, Satyanarayanaswamy Temple, Shankey factory	Water Supply night.	8-0	2-00
Contractor: G. Venkata Reddy.					
123	K. P. Kumar	No. 1688, K. N. Extn. Yeswantapur			3-6 5-00
124	B. C. Muniswamy	C/o Thamodiram Santhiyan Mestri Lane, Devar Jeevanahalli, Bangalore-8.	do	0-6	4-50
125	Venugopal	Prakashnagar	Carpenter	0-6	
126	Babu	No. 4-20 (3), 1st Main Ganesh Block	Polishing	0-2	5-00

127	Somappa	No. 98, Muniyappyana Palliya, 6th Cross, Sriram-Puram P. O.	do	0-1	4-50
128	Sitaramaiah	Balaji Cycle Works, Sriramapuram, Erappa Block	do	0-1	4-50
129	M. D. Ghouse	Satyanarayana Temple Street, Rajajinagar, 1st Block	do	1-0	
130	Gundappa	1460, 6th Cross Sriramapuram	do	1-6	1-75
131	Arumugam	Pipe Line, Yeswantapur.	helper		
			do		

Contractor: Venkatachalapathy

132	Ramakka	Gayathrinagar	Sweeper	10-00	1-12
133	Kamakshamma	Yeswanthapur, Bangalore	do	10-00	1-12
134	Lakshmamma	Near Satya narayan Temple	do	4-0	1-12
135	Govindamma	D. No. 1750, Kamala Nehru Extn. Yeswanthapur	do	3-0	1-12

Contractor : Venkatachalapathy

136	Puttamma	D. No. 138, Kunigal Hatti, Kothamaranahalli, Rajajinagar	Sweeper		
137	Kondamma	Subedar Palya, Yeswantapur	—do—	3-0	1-12
138	Channamma	Behind Primary School, Link Road.	—do—	2-0	1-12
139	S. Muniyamma	D. No. 1730 Kamala Nehru . Extn. Yeswanthapuram	—do—	3-0	1-12
140	Muniamma	Turahanapalya Kempanna's House Sriramapuram P. O Bangalore-21		0-5	1-12

				Yr. Mths	Rs. np.
141	Ameer John	Pipe line, Yeswanthapur	Maistry	2-00	2-00
142	Narayan	D. No. 101 Sweeper Line Munireddy Palya	Sweeper	0-2	2-00
143	H. E. Narayana	C/o D. S. Nagamma Murthy Store	—do—	0-2	2-00
144	S. Narayana	Kailas soap Factory Mattigare	—do—	0-2	2-00
145	R. Venkatappa	C/o Angadi Kordamma, D. No. U41, Ambedker Nagar Srirampuram P. O.	—do—	0-2	2-00
146	C. H. Thirupaiah	C/o D. S. Nagamma Maruthy Store Gutta Haill		0-2	2-00
147	Nagappa	Bandappa's House Pipe Line, Yeswanthapur		0-2	

Contractor : Dathatriah.

148	C. Muniyappa	F. 52, Gayatri Nagar, Srirampuram P. O.	Carpenter	7-0	4-6-0
149	Sriramulu	D. No. 45, IIIrd Cross, Kodandaramapur	Packer	6-00	2-0-0
150	Byrappa	C/o Madhaiah, Turukanapalya, Sriramapur, P. O.	—do—	7-00	2-2-0
151	Boraiah	D. No. 7, Siddanthi Block Swimming Pool Circle, Malleswaram P. O.		3-6	2-0-0

152	Gangaiah	105, Swathantra Palya, Srirampur	—do—	5–0	2–00
153	Channaiah	Temple Colony, Subedar Palya, Yeswanthapur P. O.	—do—	5–0	2–00
154	Thimmaiah	D. No. 14, Jodi Hall, Rajajinagar 5th Cross			
Contractor.—Dathathreya					
155	Krishna ...	C/o Ankappa Reddy, Flour Mill, Pipe Line Modern Colony, Yeswantpur	Carpenter	2–0	1–25
156	S Siddla Gangaiah ...	Lakshmipura P. O.	Packer	2–0	2–25
157	Suryanarayana ...	D. No. 97, Murigeswara Temple Rd., Munireddy Palya, Bangalore-6	Helper	3–0	1–50
158	Ammer John ...	do	Packer	2–0	1–50
159	Sunder Rao ...	Kamala Nehru Extension, Yeswanthapur P.O.	„	0–9	1–50
160	Murappa ...	Kethamaranahalli	„	0–8	1–25
161	K. Venkatesh ...	107, 6th Cross Rd Malleswaram	Helper	0–6	1–25
162	M. Armugam ...	D. No. 20 Doda Byrappa Street, Venkataraya Layout Palace Guttahalli Bangalore-3	„	0–5	1–25
163	L. Mari ...	37/5, 6th Cross Rd. Packer, Srirampur, Bangalore.	Packer	0–6	1–12
164	Muniyappa ...	Kethamaranahalli	Helper	2–6	1–12
165	Shaffiulla ...	C/o Hyder Haig Ganesha Transport Mamulpet, Bangalore-2.	„	0–5	1–25
166	Sajjana Rao ...	Kabir Aram	„	1–6	1–06
Contractor.—Muniswamy		*Sand Mixtures Department*			
167	Rangappa ...	C/o Surappa Shop Ist Block Rajajinagar	Sand Mixture	4–0	2–25
168	Venkatesh ...	do	„ supplier	3–6	2–25

					Yrs. Months	Rs. Np.	
169	Doraiswamy ...	C/o N. P. R. Tailoring hall Turukanapalya Bangalore-21.			3-0	2-25	
170	Najeer ...	do			3-0	2-00	
171	Hucha ...	C/o Surappa Shop Ist Block, Rajajinagar,			2-0	2-25	
172	V. Rajamanickyam ...	N. P. R. Tailoring Hall, Turukanapalya, Bangalore-21.			2-0		
Contractor.—Muniswamy							
173	M. Ramakrishna ...	N. P. R. Tailoring	Trolley Man		2-00	2-00	
174	Nanjappa ...	Do	Do		2-00	2-00	
175	Muddarangappa ...	Garagatapalya	Helper		2-6	1-87	
176	Hucha Hanumaiah ...	C/o Surappa Shop	Do		1-0	1-87	
177	T. Anandan ...	199, II Block	Do		1-6	1-87	
178	R. Rangappa ...	Vegetable shop Yeswanthapur	Do		1-0	1-75	
179	P. Govindaswamy ...	199 II Block Rajajinagar	Do		0-6	1-75	
180	V. Krishnan ...	C/o K. P. S. Stores Turukanapalya Bangalore	Do		0-8	1-75	
181	R. Sinneda ...	Do	Do		0-8	1-75	
182	Basava ...	N. P. R. Tailoring	Do		1-2	1-87	
183	R. Eswara Rao ...	M100, 7th Cross Main Road, Lakshminayanapuram, Bangalore-21	Do		0-6	1-75	
184	Anjanappa ...	C/o Channamma, Kethamaranahalli	Do		1-6	1-75	
185	N. Krishnan ...	Prakashnagar III Cross, D. No 305, Sriramapuram	Do		1-6	1-75	
Contractor.—Venkatachalapathy							
	Smt. Chandramma ...	D. No. 1418, Kamala Nehru Extn. Yeswanthapur					

Contractor.—Madhava Nair Transport

187	Muniswamappa	...	D. No. 30 Kunigal Hatti, Kehtamaranahalli Rajajinagar	Welder	0–8	3–50
188	Appanna	...	1768, Kamalanebru	Fitter	8–0	3–50
189	H. Marivappa	...	C/o. Yadhugiri Provision Store Yeswanthapur	Helper	3–0	1–62
190	Chanappa	...	27, Near Devaiah Park, Srirampuram	Do	0–6	1–50
191	K. V. Venkatappa	...	31, Kethamarana halli, Kunigal Hatti Rajajinagar	Do	2–0	1–50
192	Ramaiah	...	Do	Do	0–3	1–50
193	Rangaswamy	...	7th Cross Gayatri Nagar	Do	0–3	1–50
194	R. Venkataraman	...	32. Kunigal Hatti	Do	0–10	1–50

Contractor.—Varma Casting Yard

					2–6	2–50
195	K. M. Ramaiah	...	Outhouse, Eswara Temple Yeswanthapur	Casting Supplier		
196	M. Muniyappa	...	441, Temple Colony, Subhedhar Palya Yeswanthapur		4–0	2–50
197	Nanjappa	...	D. No. 8, Nelagadhanadahalli, Bagalakote P.O. Bangalore–15	Do	4–0	2–50
198	H. Muniyappa	...	441, Temple Colony Subedharpalya. Yeswanthapur	Do	2–0	2–50
199	Nagaraja	...	21, Narayanaswamy, Compound. Yeswanthapur	Do	4–0	2–50
	Gopal Rao	...	90, Ramachandrapur IV Main Road, Bangalore–21	Do	2–0	2–50
201	Ramaiah	...	Outhouse, Eswara Temple, Yeswanthapur	Do	5–0	2–50

Sub–Contract.

202	Muniappa	D. No. R21, Gayatrinagar.	Moulding work Maistry	2–80	5–00
203	H. S. Basappa	D. No. G8. ..	Moulder	0–6	

					Yr. Mths.	Rs. nP.
Contractor.—Maniyappa						
204	Mari	D. No. 35, Mill Colony		"	0–10	5–00
205	Muniswamy	Pipeline D. No. 36		"	0–2	5–00
206	Varadappa	D. No. 31, Mill Colony		"	0–2	4–00
207	Muniswamappa	—		"	0–1	4–50
208	Raja	—		"	0–1	1–75
209	Gangappa	Channkeshava Tailoring Hall, Gayatrinagar.	Cooli	"	0–2	1–75
210	Rudrappa Chari	C/o H. S. Basappa D. No. 651, Gayatrinagar	"		0–10	1–75
211	Mariappa	—	"		0–8	1–75
212	Wilson	—	"		0–1	1–75
213	Ramaiah	—	"		0–1	1–75
214	Venkataswamy	D. No. 1743, Kamala Nehru Extension.	"		0–1	1–50
215	Pathuma	D. No. 101, Kalappa Block.	"		0–2	1–25
216	Muniamma	D. No. 181, 7th Cross, Prakash Nagar.	"		0–4	1–25
217	Gouramma ...	D. No. 13, Subramanya Nagar	Cooli		0–1	1–25
218	Hanumakka ...	Subedar Palya, near Narayanaswam, Bangalore	do		0–1	1–25
219	Hafeeja ...	D No. 14, Mallappa Reddy, Subramanya Nagar	do		0–1	1–25
220	Krishnamillai ...	D. No. 14, Milk Colony	do		0–2	1–75
Contractor:—Kempaiah						
221	Rangaswamy ...	Gayatrinagar, 7th Block	do		0–1	1–75
222	Gangaiah ..	D. No. 32, Swatantra Palya ..	do		0–1	1–50
223	Narasimhiah ...	Surapalu shop, Kethamaranahalli, Rajajinagar	do		0–5	1–75
224	S. Narasimhiah ...	D. No. 284, Guttahalli	do		1–6	1–75

225	Chinnakanna	...	D. No. 184, Prakash Nagar		1-0	1-75
226	Narayanaswamy	...	do		1-0	1-75
227	Chandrappa	...	13th Cross, Malleswaram		0-1	1-25
228	Madaiah	...	D. No. 6/8, 13th Cross, Malleswaram		0-1	1-25
229	Amrutamma	...	Chandrappa Huts, Yeswanthapuram		0-1	1-25
230	Chinnamma	...	...		0-1	1-25
231	Pattamma	...	...		0-1	1-25
232	Madamma	...	Surappa Huts, Kethamaranahalli, Rajajinagar		0-1	1-25
Contractor :—Loraiswamy						
233	Pattamma	...	No. 184, Prakash Nagar		0-5	1-50
234	Govindaraju	...	do		0-1	2-00
235	Srinivasa Reddy	..	do		0-4	2-50
Contractor :—Venkataram						
236	Lakshmana	...	Gayatri Nagar	Cooli	0-10	1-75
237	Ramachandra	...	Subramanyanagar	do	0-6	1-75
238	Narasamma	...	D. No. 1035/C, 94, 6th Cross, Srirampuram	do	0-1	1-75
239	Sivaramaiah	...	C/o., Tailor Ramakrishna, Gayatrinagar	do	0-3	1-75
240	S. Siddaiah	...	Banareddy Circle Sriramapuram	do	0-1	1-75
241	Chickahanumaiah	...	5th Cross, Srirampuram	do	0-1	1-75
242	Poojamma	...	D/o., Ramaiah Mathikere	do	1-0	1-25
243	Jayamma	...	D. No. 441	do	1-0	1-25
244	Bettamma	...	Pipe Line, Yeswanthapuram	do	1-0	1-25
245	Venkatamma	...	Near Narayanaswamy Bangle, Subedar Palya	do	1-0	1-25
246	Kempamma	...	Pipe Line, Yeswanthapur	do	1-0	1-25
247	Rajamma	...	...	do	1-0	1-25
Contractor :—Vaddara Muniswamy						
248	Varadaraju	...	Subedarpalya		1-0	1-75
249	Vanniah	...			1-0	1-75

HOME SECRETARIAT.

NOTIFICATION.

Bangalore, dated 18th November 1967.

S. O. 2207.—In exercise of the powers conferred by clause (s) of sub-section (1) of Section 4 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Government of Mysore, hereby makes the following amendments to Notification No. HD 204 EHT 58 dated 2nd September 1959, published in the *Mysore Gazette* dated 10th September 1959, namely :

In the Schedule to the said Notification :

(i) in the entries relating to serial No. 28, Athani Police Station in column 3, after item 33, the Following item shall be added namely :

"34 Thangadi";

(ii) in the entries relating to serial No. 30 Kagwad Police Station item 22 shall be omitted and items 23 and 24 shall be re-numbered as items 22 and 23 respectively.

[No. HD 198 PEG 67.]

By Order and in the name of the Governor of Mysore,

1473 C. R. SUBBA RAO, *Under Secy.*

GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of M/s. Sundatta Food and Fibres, Ltd., Hubli.

Award of the Industrial Tribunal, Bangalore—Published.

Read the following papers :—

(i) Letter No. I.T. No. 1178-79/67-68, dated 3rd November 1967, from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 30th October 1967.

Present :

Sri A. Panchakshariah, B.A. (HONS.), LL.B., ... *Presiding Officer.*

I. D. No. 32 of 1967.

I Party.	*II Party.*
Workmen of M/s. Sundatta Food and Fibres, Ltd., Hubli.	Management of M/s. Sundatta Food and Fibres, Ltd., Hubli.

Appearances :

For *I Party* :—Sri M. A. Kutty, General Secretary, Sundatta Workers' Union, Hubli.

For *II Party* :—Sri Gangoli, Secretary, Sundatta Food and Fibres, Ltd., Hubli.

Reference.

G. O. No. LMA 307 LLD 67, Bangalore, dated 26th May 1967.

AWARD

Payment of *ex-gratia ad hoc* interim relief of Rs. 10 per month per worker with effect from 1st November 1966 is the subject matter of this dispute. The workmen of Sundatta Food &

Fibres, Ltd., Hubli, are 116 or thereabout in number. They appear to have made some representation in writing to the II Party Management of M/s. Sundatta Food & Fibres, Ltd., Hubli, for continuation of payment of Rs. 10 per workmen per month on the score that the cost of living was rising higher and higher and it was not showing a tendency to come down. This subject was the subject matter of a conciliation before the Assistant Labour Commissioner and on his failure report the Government of Mysore in their Order No. LMA 307 LLD 67, dated 26th May 1967, have referred under Section 10 (1) (d) of the Industrial Disputes Act, 1947, this dispute for adjudication to this tribunal. It was registered as I. D. No. 32 of 1967 and notices were issued to both the parties to file their respective pleadings. Sri M. A. Kutty, appeared on behalf of the workmen and filed the Claim Statement. The II Party was represented by Sri Gangoli, Secretary of the Company.

2. According to the Claim statement, it is alleged that the II Party Management had paid a sum of Rs. 8 per month from 1st January 1966 to 31st March 1966 and from 1st April 1966 to 30th September 1966 it was enchanced to Rs. 10 per month per worker with an understanding that thereafter the situation would be reviewed. These payments were being made to the workmen on the strength of a demand notice sent to the II Party on 30th December 1965 by the I Party on behalf of all the workmen of the II Party. It is alleged that these sums of Rs. 8 and Rs. 10 were being paid to the workers to compensate the abnormal rise in the cost of living on account of the prices of foodgrains going high. The Management and the workmen earlier had entered into a Settlement on 30th January 1965 and had fixed the index figure and the cost of living for the workmen in addition to Dearness Allowance, based on the cost of living index of Davangere City. It was then 650 for Davangere City. The management appreciated the high rise in the cost of living index and the abnormal rise in in the prices and therefore were good enough to grant Rs. 8 in the beginning and then enhanced it to Rs. 10 per month up to 1st November 1966 and this was done with the idea of compensating the high cost of living. It is alleged that even this is not sufficient, and instead of continuing to pay this, the II Party has all of a sudden stopped paying this with effect from 1st November 1966. The workmen made several representations to the Management to restore this payment from 1st November 1966 but the Management did not care to do so. The agreement or the settlement on 30th January 1965 was not to stop the payment of this allowance but to review the situation. Instead of reviewing the situation and

continuing to pay at the rate of Rs. 10 per month, the II Party has withdrawn this payment and therefore this dispute.

3. As against this claim statement, the II Party has filed a lengthy counter statement. One of the objections taken as a preliminary objection is that the Registration of the Sundatta Workers' Union has been cancelled. This contention of course, was given up at the time of trial of this case by Sri Gangoli for the II Party. The II Party admits in para (1) of the counter statement that the II Party was paying from 1st January 1966 at the rate of Rs. 8 per month per worker and this was continued up to 31st March 1966 and from 1st April 1966 to 30th September 1966 it was being paid at the rate of Rs. 10 per month per worker. According to the II Party this payment was granted as *ex gratia ad hoc* interim relief for the specific period ending with 30th September 1966 and after this period the situation had to be reviewed. The II party also admits that this payment was made as a result of a demand notice received from the Workers' Union. The II Party contends that this demand is illegal and it is contrary to the statement dated 30th January 1965. The II Party denies that this *ex-gratia* payment of Rs. 10 per month per worker was ever intended to neutralise the rise in prices. It was paid practically under threat of strike. The other allegations is that D. A. that is now being paid to these workmen is a small quantity and not adequate to cover the rise in the cost of living. According to the Settlement dated 30th January 1965 the I Party had no right to put in any demand which would involve the II Party in additional financial burden and this was up to 30th November 1967. This agreement was reached keeping in view of the rise in the cost of living index of Davangere above the level of 650 points. The II Party contends that the II Party was not legally bound to pay even this Rs. 10 and this continuance was not arbitrary. The Management considered the matter for nearly a month after 30th September 1966 when the payment terminated, and only after it became clear that it was not possible to continue this *ex-gratia* payment, the same was stopped. The finances of the Company have deteriorated and the II Party is not in a position to meet this demand. The payment being made purely on *ex gratia* basis, it was not liable to be continued. The other questions with regard to difficulties are also being alleged in the counter statement. A reply is filed by the I Party to the counter statement re-affirming the allegations in the Claim Statement.

4. On the basis of these pleadings seven issues have been framed by me. The case was taken up for trial at my Hubli camp

on 26th October 1967. On that day Sri Kutty appeared for the I Party Union and Sri Gangoli, Secretary, represented the II Party. Regarding Issue No. 1, *viz.*, the I Party Union having no *locus standi* or not, the II Party did not press his objection. Consequently Issue No. 1 was held against the II Party. The I Party examined one witness and closed its case. So far as the II Party is concerned, Sri Gangoli filed some documents and closed his case without any oral evidence. The I Party has filed three documents *viz.*, Ex. W1, W2, and W3. Ex. W1 and W2 are two applications sent by the workmen for continuance of this *ex-gratia* payment of Rs. 10 per month. This has been made before the dispute in this case came up for decision. Ex. M1 to M5 are filed by tihe II Party. Ex. M1 is dated 20th April 1966 which is a Notice issued to all workmen according to which the II Party has referred to the request made by the workers to compensate taherise in the cost of living by paying them some additional allowemnce. The II Party has mentioned in Ex. M1 that as the agretil ent still subsists no demand can be raised by the Union until the agreement expires. However, the Management considered the request of the Union and decided to give an *ex gratia ad hoc* interim relief to the workers at the following rates. (1) Rs. 8 per month of 26 working days for the period commencing from 1st January 1966 to 31st March 1966 and (2) Rs. 10 per month of 26 working days with effect from 1st April 1966 to 30th September 1966. Thereafter the whole situation will have to be reviewed. Sri Gangoli contended that in view of the settlement before the conciliation Officer as per Ex M2 clauses (3) and (4), the workmen will not be entitled to any benefits which would involve additional financial burden on the II Party till 30th November 1967 and this settlement is binding on both the parties and this settlement has not been terminated by the I Party by any notice of termination served on the II Party. It is no doubt true that without Exhibits W1 and W2 it would not have been open to the I Party to contend that any such benefits should be continued. That this settlement has been terminated by issue of demand Notice Ex. W1 and Ex. W2 by the I Party, is very clear and even according to the II Party, the II Party also has terminated this settlement on 30th January 1965 by conceding to grant Rs. 8 and Rs. 10 per month as referred to above. Therefore there is not much substance in the contention of the II Party that the I Party cannot plead for continuance of this *ex gratia* payment of Rs. 10 per month. It is very clearly stated in Ex. M1 that after 30th September 1966 the situation will be reviewed. I am sure, the intention of this clause was to keep open the right of the I Party to claim for continuance of this

ad hoc payment and that was in lieu of the rise in the cost of living. It is not even the case of the II Party that there is no rise in the cost of living. On the contrary, ever since the demand was preferred the cost of living has continuously been going up and that one can take judicial notice of. That this payment was intended to cover the rise in the cost of living is clear from Ex. W1 and Ex. W2 and Ex. M1. My finding on issue No. 2 is that the payment of Rs. 8 from 1st January 1966 to 31st March 1966 and Rs. 10 from 1st April 1966 to 30th September 1966 was in lieu of the rise in the cost of living index. My finding on issue No. 3 is that both the parties agreed on 30th January 1965 to adopt the cost of living index figures of Davangere and therefore the payment of Rs. 8 and Rs. 10 as mentioned above was made in lieu of the rise of cost of living index. My finding on Issue No. 3 is that both the parties agreed on 30th January 1965 to adopt the cost of living index figures of Davangere and therefore the payment of Rs. 8 and Rs. 10 as mentioned above was made in lieu of the higher cost of living. My finding on Issue No. 4 is that, no doubt as contended by the II Party the payments of Rs. 8 and Rs. 10 made on an *ex gratia* basis was to be for the periods mentioned, but thereafter the situation had to be reviewed by both the parties, and the circumstances did not favour discontinuance of this payment because no case is made out by the II Party that the cost of living has come down and that the workers do not deserve this allowance. My finding on Issue No. 5 is that, no doubt the Union agreed on 30th January 1965 that no demands for additional payment of wages or D. A. would be made during the pendency of the period of agreement till 30th November 1967, but I have shown above that the I Party as well as the II Party have both terminated this agreement or settlement by Exhibits W1, W2, and M1.

5. The only other point to be considered is the financial capacity of the II Party to continue to pay this Rs. 10 per month per worker, in other words, whether the II Party has the capacity to pay this amount to its workers. It was admitted at the time of arguments that the persons who would be entitled to this benefit are 160 in number. Calculating at Rs. 10 per worker it would come to Rs. 1,600 per month. This has necessarily to be considered in the light of the financial position of the Company. The II Party has filed the Balance Sheets Ex. M3, for the year ending with 31st October 1966. The I Party has also filed an Extract of the Profit and Loss Account which is marked as Ex. M4 in this case. As per Ex. M4 the position of the company is

from 1st April 1962 to 1st November 1965 on the plus side *i.e.*, it has been able to make profits for the year 1962-63 at Rs. 11,691 for the year 1963-64 it has made a profit of Rs. 86,989 and for the year 1994-65 it has made a profit of Rs. 9,30,244. From 1st November 1965 to 31st October 1966 it has made a profit of Rs. 5,36,514. The latest Balance Sheet as per Ex. M3 shows a profit of 5 lakhs and odd. It was contended by Sri Gangoli that it is only the Gross Profit, and out of this so many other items had to be deducted. That is not correct position. In Ex. M3 the net profit in accordance with Section 349 of the Companies Act is shown as Rs. 4,02,218.96. Now considering the financial burden which the II Party has to bear, it would be Rs. 1,600 per month. That means for one year it would be Rs. 19,200 and *odd*. As against the net profit of 4 lakhs and *odd* of rupees, 19,000 is nowhere. Therefore my findings on Issue No. 6 is that the II Party has the financial capacity to continue to pay the amounts mentioned above.

6. Accordingly I pass an award directing the II Party to continue to pay its workers at the rate of Rs. 10 per month per worker from 1st November 1966.

7. As regards the costs, the II Party will pay Rs. 100 (Rupees One Hundred only) to the I Party Union.

A. PANCHAKSHARIAH,
Presiding Officer,
Industrial Tribunal.
30-10-1967.

ORDER

Bangalore, dated 13th November 1967.

S.O. 2208.—WHEREAS by State Government Order No. LMA 307 LLD 67, dated 26th May 1967, the Industrial Dispute between the Workmen and the Management of M/s. Sundatta Food and Fibres, Ltd., Hubli was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 307 LLD 67.]

By Order and in the name of the Governor of Mysore,
G. G. PUROHIT, *Under Secy.*

1446

REVENUE SECRETARIAT

ORDER.

Bangalore, dated 9th November 1967.

S. O. 2269.—WHEREAS the draft variation scheme of the Consolidation of Holdings of *Akkitang rhal* village, Gokak Taluk, Belgaum District proposed to be made by Government of Mysore was published in Order No. RD 177 TCO 66, dated 25/29th August 1966 as required by Section 33 of Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bombay Act No. LXII of 1947);

AND WHEREAS no objections have been received by the State Government in respect of the said draft variation;

NOW, THEREFORE, in exercise of powers conferred by Section 33 read with sub-section 4 of Section 20 of the said Act, the Government of Mysore hereby confirm the varied scheme as indicated hereunder;

The confirmed variation scheme of Consolidation of Holdings of *Akkitangerhal* village, Gokak Taluk, Belgaum District, as indicated hereunder shall be published in the Official Gazette and the prescribed manner in the Village concerned as required under sub-section (1) of Section 21 of the said Act.

23 (iii) S

Confirmed Variation Scheme

As per record of rights or Confirmation (1).							*As per variation Proposals (2).*						
K. No.	S No.	H. No.	Area	Assessment	Valuation	B. No.	S. No.	H. No.	Area	Assessment	Valuation	B. No.	Remarks
1	2	3	4	5	6	7	1	2	3	4	5	6	7
153	163	2/B	A. G. 0-23 P$\frac{1}{4}$K 0-01	Rs. A. P. 1-7-0			163	2/B	A -G 0-23 0-01	Rs. A. P. 1-7-0		747	
			0-24						0-24				
				2-0-0			231	2	0-2)	2-0-0			
	231	2	0-29	1-6-0			232	2	0-36	1-6-0			
	232	2	0-36										
							Block	total	1-25	3-6-0			
	237	11 O +12	0-09	0-7-3			237	11=O+12	0-09	0-7-6		1105	
	234	16	0-16	0-6-6			265	S/O	1-33	1-7-6		1333	
	265	30	0-33	1-7-6			„	3B part Eastern side	0-06	0-2-0			
	287	4A/2	0-06	0-6-6				Block Total	1-39	1-9-6			
	„	4A/2	0-06	0-6-6			287	5A part middle portion	0-05	0-5-0			
							„	4B/ „	0-04	0-4-0			
							„	4A „	0-02	0-2-2			
							„	4B „	0-01	0-1-6			
								S. Portion					

REVENUE SECRETARIAT

ORDER.

Bangalore, dated 8th November 1967.

S. O. 2209.—WHEREAS the draft variation scheme of the Consolidation of Holdings of *Akkitang rhal* village, Gokak Taluk, Belgaum District proposed to be made by Government of Mysore was published in Order No. RD 177 TCO 66, dated 25/29th August 1966 as required by Section 33 of Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bombay Act No. LXII of 1947);

AND WHEREAS no objections have been received by the State Government in respect of the said draft variation;

NOW, THEREFORE, in exercise of powers conferred by Section 33 read with sub-section 4 of Section 20 of the said Act, the Government of Mysore hereby confirm the varied scheme as indicated hereunder;

The confirmed variation scheme of Consolidation of Holdings of *Akkitangarhal* village, Gokak Taluk, Belgaum District, as indicated hereunder shall be published in the Official Gazette and the prescribed manner in the Village concerned as required under sub-section (1) of Section 21 of the said Act.

Confirmed Variation Scheme

As per record of rights or Confirmation (1).							*As per variation Proposals (2).*						
K. No.	S No.	H. No.	Area	Assessment	Valuation	B. No.	S. No.			Assessment	Valuation	B. No.	Remarks
1	2	3	4	5	6	7	1	2	3	4	5	6	7
153	163	2/B	A. G. 0-23 Pot K 0-01	Rs. A. P. 1-7-0			163	2/B	A -G 0-23 0-01	Rs. A. P. 1-7-0		747	
			0-24						0-24				
				2-0-0			231	2	0-21	2-0-0			
231	2		0-29	1-6-0			232	2	0-36	1-6-0			
232	2		0-36										
							Block	total	1-25	3-6-0			
237	11 O +12		0-09	0-7-3			237	11=0+12	0-09	0-7-6		1105	
234	16		0-16	0-6-6			265	3/0	1-33	1-7-6		1338	
265	30		0-33	1-7-6			„	3B part Eastern side	0-06	0-2-0			
237	4A/2		0-06	0-6-6				Block Total	1-39	1-9-6			
„	4A/2		0-06	0-3-6			237	5A part middle portion	0-05	0-5-0		1406	
							„	4B/ „	0-04	0-4-0			
							„	4A „	0-02	0-2-2			
							„	4B „	0-01	0-1-6			
								S. Portion					

			Khata Total	4-38	7-15-0	
			P. K.	0-01		
				4-39		
				0-17	1-1-0	284
287	284	1	P.K.	0 09	0-5-0 J	
				0-26	0-9-0 N	
	287	5B		0-13	0-13-0	287
		5D		0-06	0-6-6	"
		1B+2		0-25	1-10-0	"
			Khata Total	1-21	3-14-6	
			P. K.	0-09		
				1-30		
437	287	6A		0-28	1-13-0	287
	289	7		0-16	0-13-0	"
						"
						"
						289
			Khata Total:	1-03	2-9-0	

Block Total		0-12	0-12-6	
Khata Total		4-23	7-10-6	
P K.		0-01		
		4-39		
1		0-17	1-1-0	
		P.K. 0-01	0-5-0 J	1384
		0-26	0-9-0 N	
6A	part	0-07	0-6-6	1404
6B	"	0-05	0-4-6	
6D	"	0-04	0-4-6	
6C	"	0-03	0-8-0	
Block Total		0-19	1-2-6	
Khata Total		0-36	2-8-6	
P.K.		0-09		
		1-30		
6B	Part	0-06	0-7-0	1402
6A	"	0-14	0-13-6	
6D	"	0-12	0-2-6	
6A	"	0-01	0-1-6	
17		0-12	0-13-6	
Khata Total:		0-36	2-5-0	

1	2	3	4	5	6	7	1	2	3	4	5	6	7
464	287	4B	0-22	1-7-0			287	5B Part	0-08	0-8-6		1405B	
							,,	5A ,,	0-05	0-5-0			
							,,	5C ,,	0-05	0-5-6			
							,,	4B ,,	0-03	0-3-0			
		Khata Total:	0-22	1-7-0				Khata Total:	0-21	1-6-0			
522	287	3	1-06	3-0-0			287	4A/1	0-05	0-5-0		1407	
	,,	4A/1	0-05	0-5-0			,,	4A/2	0 06	0-6-0			
		4A/2	0-06	0-6-6			,,	4A/1 Part *	0-01	0-1-6	* Southern portion		
							,,	3	0-22	1-7-0			
							,,	4A/1 **	0-03	0-3-0	** Northern ,,		
							,,	4A/2	0-06	0-6-6			
							,,	4B/Part	0-14	0-14-6			
							,,	5A/ ,,	0-02	0-2-0			
	Khata Total		1-17	3-11-6				Khata Total	1-19	3-13-6			
573	287	1A	1-24	4-1-0			287	1A	1-24	4-1-0			
	,,	5A	0-13	0-12-0			,,	1B+2	0-25	1-0 0			
	,,	5C	0-08	0-3-6			,,	3 Part	0-24	1-9-0			
	295	5	0-14	0-12-6	175-00								
								Block Total	2-33	7-4-0			
							289	4 part	0-14	0-12-6	175-00	1405A	
	Sarkari Total		2-18	6-2-0				Sarkari Total	3-07	8-0-6			

				1-05	2-13-0 1-4-0J 1-9-0N			1-05	2-13-0 1-4-0J 1-9-0N
	Khata Total:		3-23	8-15-0	176-00		Khata Total	4-12	10-13-6	175-00
858	287	6B	0-27	1-13-0		257	6B Part	0-21	1-6-0	
	289	8	0-17	1-15-0		"	6A "	0-06	0-6-6	
						289	8	0-17	0-15-0	
	Khata Total:		1-04	2-12-0			Khata Total	1 04	2-11-6	

[No. RD 233 TCO 37.]

By Order and in the name of the Governor of Mysore,

M. K. MADAPPA,
Under Secretary to Government, R.D.

Food, Civil Supplies and Labour Secretariat

NOTIFICATION.

Bangalore, dated 20th November 1967.

S. O. 2210.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Plantation Labour Act, 1951 (Central Act 69 of 1951) and in supersession of the Notification No. A. 10-209/RD 15-212/54, dated 15th June 1956 of the then Chief Commissioner of Coorg, as in force in Coorg District, the Government of Mysore hereby appoints the Officers specified in column (1) of the Table below to be Certifying Surgeons for the purposes of the said Act in respect of all classes of plantations within the local limits of the areas specified in the corresponding entries in column (2) thereof :—

TABLE.

Sl. No.	Designation of the Officer	Local Limits assigned
	(1)	(2)
1	Medical Officer, Primary Health Centre, Chamarajanagar, Mysore District.	Chamarajanagar Taluk
2	Assistant Surgeon, Civil Hospital, Mercara, Coorg District	Mercara Taluk
3	Medical Officer, Civil Hospital, Virajpet, Coorg District	Virajpet Taluk
4	Medical Officer, Civil Hospital, Somwarpet, Coorg District	Somwarpet Taluk
5	Assistant Medical Officer of Health, Primary Health Unit, Mallipatna, Arkalgud Taluk, Hassan District	Arkalgud Taluk
6	Medical Officer, Primary Health Centre, Alur, Hassan District	Alur Taluk
7	Medical Officer, Crawford Hospital, Sakleshpur, Hassan District	Sakleshpur Taluk

(1)		(2)
8	Assistant Medical Officer, Government Hospital, Belur, Hassan District	Belur Taluk
9	Resident Medical Officer, General Hospital, Chickmagalur	Chickmagalur Taluk
10	Assistant Medical Officer, Primary Health Centre, Koppa, Chickmagalur District	Koppa Taluk
11	Assistant Medical Officer, Primary Health Centre, N. R. Pura, Chickmagalur District.	N. R. Pura Taluk
12	Assistant Medical Officer, Primary Health Centre, Mudigere, Chickmagalur District	Mudigere Taluk
13	Assistant Medical Officer, Local Fund Dispensary Tarikere, Chickmagalur District	Kadur Taluk
14	Medical Officer, Primary Health Centre, Tarikere, Chickmagalur District	Tarikere Taluk
15	Assistant Medical Officer, Primary Health Centre, Sringeri, Chickmagalur District	Sringeri Taluk

[No. FOL 25 LBW 65.]

By Order and in the name of the Governor of Mysore,

R. ANANDAKRISHNA,

Secretary to Government,

Education Secretariat.

NOTIFICATION.

Bangalore, dated the 17th November 1967.

S. O. 2211.—In exercise of the powers conferred under sub-section (3) of Section 32 of the Karnatak University Act, 1949 (Bombay XX of 1949), the Government of Mysore are pleased to sanction extension of affiliation of the K. L. Society's Gotge College of Commerce, Belgaum to the Karnatak University for teaching Political Science as an Optional subject at the Pre-University Course in Commerce for a period of two years from 1967 subject to the conditions laid down by the Karnatak University.

[No. ED 109 UAC 67.]

By Order and in the name of the Governor of Mysore.

1468 S. N. Sreenath, *Under Secy.*

NOTIFICATION.

Bangalore, dated the 18th November 1967.

S. O. 2212.—In exercise of the powers conferred under sub-section (3) of Section 44-A of the Mysore University (Amendment) Act, 1957, the Government of Mysore are pleased to sanction fresh affiliation of the J. S. S. College, Chamarajanagar to the Mysore University, for teaching,—

(i) Pre-University (Science)

Physics, Chemistry, Mathematics (2 sections of 64 students each).

(ii) B.Sc. Degree (First year)

Physics, Chemistry (Majors), Mathematics (Minor)—36 students.

for a period of one year from June 1967 subject to the following condition :—

(a) As laid down by the Local Inquiry committee.

(b) The condition that the management must satisfy the University that it will maintain the college without Government's grant; and

(c) That the college must satisfy the University before the next financial year about its financial position.

[No. ED 110 UAC 67.]

By Order and in the name of the Governor of Mysore,

S. N. SREENATH, *Under Secy*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 16th November 1967.

S. O. 2213.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Mysore Industrial Areas Development Act, 1966 (Mysore Act No. 18 of 1966), the Government of of Mysore hereby appoints 16th November 1967 to be the date from which provisions of Chapter VII of the said Act, shall take effect in the areas mentioned in the schedule accompanying the notification and declares the said area as Industrial Area under sub-section (1) of Section 3 of the said Act.

SCHEDULE

District : Chitradurga
Taluk : Haribar
Village : Amaravati near Haribar.

Name of the Village	Survey number	Area A.	Area Gs.	Limits of the Area
(1)	(2)	(3)		(4)
Amaravati	23	30	00	Limits of the compact block :
	26	22	20	Bounded on the North :
	27	6	10	
	28	8	35	Road leading to Amaravathi
	29	8	30	Village
	30	8	25	East: by survey Nos. 24,
	31	9	36	25 and part of Survey
	32	9	33	Nos. 27, 28, 29, 30, 31,
	36	10	21	32, 36, 37, 38, 39, 43, 44,
	37	10	14	45 and 46 of Amaravathi
	38	17	30	Village.
	39	18	03	On the South: by Survey
	43	11	02	No. 47 of Amaravathi
	44	10	17	On the West: Road leading
	45	10	17	from Iuskar to Bangalore.
	46	6	27	
Total extent (approximate) ...		200	00	

[No. CI 166 GMI 67.]

By Order and in the name of the Governor of Mysore,

H. L. LINGARAJ URS, *Dy. Secy*

NOTIFICATION.

Bangalore, dated 17th November 1967.

S.O. 2214—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for China Clay and Ochres to Shri M. B. Jhaveri in the following areas of the Sidlaghatta Taluk, Kolar District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*
Palacherlu	201, 202, 205 207 to 213 (full) and 206 (part)	247 acres. (99.95 hectares).

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of one year with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 (Rupees two and paise fifty) per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed und Rule 14(ii) and (iii) and under Schedule III respective of the Mineral Concession Rules, 1960. The roya

payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as Security a sum of Rs. 200 (Two hundred rupee-) in respect of every squar kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence;

11. The licensee shall engage a qualified geologist or a mining Engineer to conduct the prospecting methodically;

12. The licensee shall not give any ore-raising contract during the prospecting stage; and

13. The above mentioned area is subject to verification after actual survey.

[No. CI 223 EPO 67].

By Order and in the name of the Governor of Mysore,

1472 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 17th November 1967.

S.O.2215—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese to Messrs. Amaree Mining Company in the following areas of the Holalkere Taluk, Chitradurga District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area.*
Madderi	46 and Parts of S. Nos. 33, 47 and 48	88 acres (35-61 Hectares)

(As delineated in the plan as furnished by the Department. of Mines and Geology).

Terms and conditions—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting Licence as also any accounts, plans and records maintrained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence

is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified Geologist or a Mining Engineer to conduct the prospecting methodically ;

12. The licensee shall not give any ore-raising contract during the prospecting stage ; and.

13. The abovementioned area is subject to verification after actual survey.

[No. CI 161 EPO 67.]

By Order and in the name of the Governor of Mysore,

1460 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 16th November 1967.

S.O. 2216.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Kyanite to Messrs. Dada Limes and Minerals in the following areas of the Sringeri Taluk, Chickmagalur District, on the terms and conditions mentioned below :—

Village.	*S. No.*	*Area*
Eavadi	69 (part)	64-4 Acres (25.91 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions.—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government ;

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year ;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of

every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ;

12. The licensee shall not give any ore-raising contract during the prospecting stage ; and

13. The above mentioned area is subject to verification after actual survey.

[No. CI 217 EPO 67.]

By Order and in the name of the Governor of Mysore,

1461 N. NARAYANASWAMY, *Under Secy.*

NOTIFICATION.

Bangalore, dated 20th November 1967.

S. O. 2217.—In exercise of the powers conferred under Rule 15 (1) of the Mineral Concession Rules 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 86 EPO 67 dated 7th July 1967, sanctioning a Prospecting Licence for Iron Ore in respect of the area of 230 (two hundred and thirty) acres of land in Sandur State Forest, N. E. B. Range (Block No. IV, C. D. E. F. G) Sandur Taluk Bellary District in favour of M/s Sri Srinivasa Ores as the grantees failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 232 EPO 67.]

By Order and in the name of the Governor of Mysore,

1480 N. NARAYANASWAMY, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the Workmen and the Management of Mysore Paper Mills Ltd. Bhadravathi.

Award of the Additional Industrial Tribunal Bangalore Published.

Read the following papers :—

(1) Letter No. I. T. No. 1165/67-68, dated the 30th October 1967 from Sbri A. Panchaksbariab Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSOBE.
BANGALORE.

Dated 30th day of October 1967.

Present

Sri A. Panchaksbariah, B. A. (Hons) LL.B. ... Presiding Officer.

I. D. No. 147 of 1966.

Workmen of Mysore Paper Mills, Ltd., Bhadravathi.
First Party.

Vs

Management of Mysore Paper Mills, Ltd. Bhadravathi.
Second Party.

Appearances

For I Party.—Sri K. Subba Rao, Advocate, Bangalore.

For II Party—Sri V. L. Narasimha Murthy, Advocate, Bangalore.

Reference.

G. O. No. LMA 268 LLD 66. Bangalore. dated 28th July 1966.

AWARD.

Out of the 115 Foremen of the Mysore Paper Mills, Ltd., Bhadravathi, which is the II Party in this case, only 13 have formed a Staff Union in December 1965 and have placed a charter of demands before the II Party on 16th February 1966.

The demands are 4 in number. The first one is about the alleged discrimination in fixation and payment of salary to all those of the class of Foremen. In addition to this demand there are three other demands which are not the subject matter of this Reference. The conciliation proceedings were held on 24th March 1966 by the Assistant Labour Commissioner, Mysore Division, Mysore. Out of the four demands made by the I Party, three were given up and regarding the demand which is now the subject matter of the Reference, the conciliation Officer submitted a failure report to the Government. Thereupon the Government of Mysore have referred this dispute for adjudication under Sec. 10 (1) (d) of the Industrial Disputes Act, 1947, to this tribunal by their Order No. LMA 268 LLD 66, dated 23th July 1966. The dispute as it stands relates to Seven of the Foremen said to be working under the II Party out of the 115 Foremen class of people. It would be better to narrate the points of dispute before I proceed to consider the scope of the Reference in this case. The points of dispute are as follows:—

"Is the Management of the Mysore Paper Mills, Ltd, Bhadravathi, justified in confirming the following seven foremen in different Grades and different rates of salary, thereby discriminating one against the other with effect from the year 1940 and onwards, even though the nature of work and degree of responsibility is the same.

(1) Sri N. Channakeshaviah,
(2) Sri A. V. Krisnna Swamy,
(3) Sri H. K. Venkataramiah,
(4) Sri A. M. Subba Rao,
(5) Sri M. V. Narayana Rao,
(6) Sri A. B. Sanjeeva Rao, and
(7) Shri P. S. Prabhakar."

2. This Reference was registered as I. D. No. 147 of 1966 by this Tribunal and notices were issued to both the parties to put in their respective pleadings. The I Party is the Workmen of the Mysore Paper Mills, Ltd., Bhadravathi, represented by the Secretary Mysore Paper Mills Staff Union. The II Party is the Management of the Mysore Paper Mills, Ltd., Bhadravathi. On 16th August 1966 the I Party filed the Claim Statement. The II Party filed the counter statement on 20th September 1966. A reply was filed on 6th October 1966 and issues were framed on 5th November 1966. Briefly stated, the case of the I Party is that out of the seven Foremen mentioned in the Order of Reference, Sl. Nos. 1

to 3 are working in the Beaters, Department while Sl. No. 4 to 6 are working in the Bamboo Pulp department, while Sl. No. 7 is working in the Boiler Department Sl. No. 1 is Sri N. C. Chinnakeshavaiah who started his service under the II Party on 2nd February 1939 on a daily wage of 0 12-0. He was confirmed on a monthly salary of Rs 25 on 1st August 1941. Sl. No. 2 A. V. Krishna Swamy joined service of the II Party in 1936 on a daily wage of Re. 1 and he was also confirmed on 1st August 1941 on a monthly salary of Rs. 30. Sl. No. 3 Sri H. K. Venkataramiah joined the Mills on 26th May 1938 on a daily wage of Re. 1 and he too was confirmed on 1st August 1941 on a monthly salary of Rs. 35. One Sri T. M. Narayanaswamy against whom these seven people have voiced their grievance, joined the same Paper Mills on 1st December 1939 on a daily wage of 0 12 0 and he was also confirmed on 1st August 1941 on a salary of Rs. 85 per month. It is contended that all these three people were doing the same kind of work and had the same amount of responsibility. With ulterior motive the II Party has confirmed this T. N. Narayanaswamy on a higher salary than the other two people named above though he was also doing the same kind of work. The action of the II Party in this behalf is against all principles of fair-play and social justice. Thereafter, whenever three grades of salary were announced to these persons, this Narayanaswamy was always given a higher grade of salary and consequently he was also given a higher rate of annual increment. The three aggrieved persons brought this injustice to the notice of the II Party and requested them to rectify this discrimination. Persons in authority assured them that the injustice would be set right.

3. Regarding Sl. No. 4 A. M. Subba Rao, he was appointed on a daily wage of Re. 1 on 10th October 1938 and was confirmed on a monthly salary of Rs. 30 in the Bamboo Pulp Department from 1st July 1940. Sl. No. 5 Sri M. V. Narayanaswamy joined service on 21st April 1939 on a daily wage of 0-12-0 and he too was confirmed on 1st July 1940 on a monthly salary of Rs. 30 Sl. No. 6 Sri A. V. Sanjeeva Rao was employed on 8th September 1938 on a daily wage of Rs. 1.13 paise and he was confirmed on 1st June 1943 on a monthly salary of Rs 30. Both these Sri A. M. Subba Rao and Sri A. V Sanjeeva Rao were working as Foremen in the Bamboo Pulp Department and the Electrolizer Department. Two other Foremen working in the same department viz., Sri M. K. Gopalaswamy Rao and Sri Madhusudhan P. S., who were started on a less daily rate wages,

were confirmed on a higher monthly salary of Rs. 40. Inspite of the fact that the work and responsibility shouldered by Sri Sanjeeva Rao and Sri Subba Rao were the same as that of Gopalaswamy Rao and Madhusudhan, these two workmen were given a low start. Consequent of the low start the subsequent increment were also low. The last person Sri T. S. Prabhakar joined the service of the II Party on 27th November 1939 in the Boiler Department, on a pay of Rs. 1-3-0 per day and he was confirmed on 16th September 1944 on a salary of Rs 35 per month. This Prabhakar is doing the same work as Sri H. Ranganna, Sri Vanketeshan and Srinivasa Iyer who were given a higher start. All these seven people protested at this discrimination in their initial start and the subsequent increments. They gave both written representations as well as oral representations collectively and individually, but the management did not come to their rescue. It is therefore submitted that the 7 Foremen whose cases have now been referred for adjudication, are entitled to equal treatment and they are also entitled to the same grade of pay, annual increments and other emoluments attached to the posts of Foremen. It is also submitted that the Seniority of these 7 Foremen be restored with corresponding financial benefits.

4. The II Party has filed a Counter statement attacking the validity of the Reference on many grounds. It is contended that the Reference is highly belated and therefore it is liable to be rejected. Secondly it is submitted that the points of dispute do not fall under any of the items of the III Schedule of the Industrial Disputes Act and therefore there is no dispute whatsoever. The third point of attack is that the fixation of grades and rates of salary are the functions of the Management and unless *mala fides* are attributed, the I Party has no right to question the same. The different rates and grades of salaries for the entire set of the employees of the Mills have been, from time to time, fixed as a result of various settlements entered into between the management and the recognised Union of the workmen. Therefore this Reference is bad in law. At no time from 1941 onwards did the recognised Union raise any dispute of the present nature. Further, specifically under the Settlements of 1958 and 1961, the grades and rates of salary of Foremen were agreed to be settled and the entire class of Foremen including the Present seven persons mentioned in the Reference have taken the benefits under these settlements and therefore it is not open to the present set of persons to re-open the matters which have been

concluded by the previous settlements. As recently as 8th August 1966 there has been a settlement arrived at between the Management of the Mysore Paper Mills and the Mysore Paper Mills Labour Association during conciliation, and this Settlement also covers a revision of pay scales of Foremen and other workmen. Since this is a Settlement under Sec. 23 (3) of the Industrial Disputes Act, 1947, the present Reference is not maintainable. Even under Sec. 4 (3) of the said Act it is binding on all the workmen and hence on that ground also the Reference is liable to be rejected Under the aforesaid Settlement all these seven workmen are placed as Senior Foremen along with the other three referred to in the Claim Statement, in the revised scales with effect from 1st April 1965. Therefore the allegations regardng discrimination have no basis whatsoever. Even under the present Reference the Government have passed an order in No. LMA 268 LLD 66 dated 28th July 1965 stating that the demands 1, 2 and 3 did not permit a Reference for adjudication. The I Party did not take further steps to raise these demands again. Curiously enough all of a sudden the State Government on 28th July 1966 *i. e.*, on the same day has passed the present Order of Reference. It is therefore contended that when the Government passed the Reference on 28th July 1966, there was no dispute pending before it and there was no dispute regarding the present point. There was therefore no material at all before the State Government to come to an opinion that an industrial dispute exists between the workmen and the management of the Mysore Paper Mills Ltd. On that account also the Reference is illegal, void and inoperative and is liable to be rejected. Even if the Reference is valid, the claim made by the workmen in their claim statement is entirely different from and beyond the scope of this Reference. According to the Reference, the point of dispute is regarding an alleged discirmination of one against the other in the matter of grades and rates of salary of the seven persons mentioned in the order of Reference. In the Claim Statement it is sought to be made out on behalf of the workmen that there is discrimination against all the seven workmen and some of the persons whose names are mentioned therein. Therefore the claim statement is liable to be rejected. The II Party has questioned the correctness of the date of entry into service and the duration of the service and the grant of increments to these seven workmen. The II Party has also filed a tabular statement showing the date of entry into service of these seven workmen as

also M/s. Narayanaswamy, Madhusudhan and Ranganna, and the dates of confirmation and the salaries on which they were started and the increments granted to them. Since there has been no discrimination, the case of the I Party is liable to be rejected. The entire claim of the I Party workmen is to be rejected. On 6th October 1966 the I Party filed a Reply statement reiterating the allegations in the claim statement and denying the allegations in the counter statement of the II Party.

5. On the basis of these pleadings, in addition to the points of dispute in the Reference, 5 Issues have been framed by me. The case was taken up for trial both at Bhadravathi and Shimoga camps. The I Party examined six witnesses while the II Party has examined only two witnesses and both parties closed their respective cases. Arguments were heard at Headquarters.

6. For very many good reasons I may say that this Reference has no merit whatsoever. In doing so I will point out from the various legal aspects proved in this case that the I Party has no case whatsoever. I first of all take up the question of delay on the part of the I Party workmen in raising these demands. Undoubtedly as the evidence shows and as the Reference reads, this discrimination is stated to have had its genesis in the year 1940. From 1940 right up to 1965 there is no good and convincing evidence to show that the I Party workmen over complained of this discrimination. It is no doubt true that now and then a collective representation by the Foremen Class as a whole was being made. But specific cases of discrimination were never brought to the notice of the management. Out of the six witnesses examined by the I Party it is abundantly clear that the case of the I Party suffers from inexcusable delay. Before I take up the evidence in the case I would like to consider the position of law in this behalf. In 1959 (II) LLJ 26 their Lordships of the Supreme Court have very clearly laid down how delay works against the party who comes to the tribunal for any relief. This was a case in which a Reference had been made nearly 4½ years after the real grievance. Their Lordships of the Supreme Court have held :—

> "On these facts it must be held that relief or reinstatement ought not to be given on such a vague and much delayed Reference. It is true that there is no limitation prescribed for reference of disputes to an Industrial Tribunal, even so it is only reasonable that disputes should be referred as soon as possible after they have arisen and conciliation proceedings have failed, particu-

larly so when disputes relate to discharge of workmen wholesale. The industry has to carry on and if for any reason there has been a wholesale discharge of the workmen and closure of the industry followed by its reopening and fresh recruitment of labour, it is necessary that a dispute relating to reinstatement of a large number of workmen should be referred for adjudication within a reasonable time.

In the instant case a Reference made four years after re-employment of most of the old workmen must be held to have been made beyond the reasonable time and the industrial tribunal ought not to grant the relief of reinstatement on such a Referenc. The fact that the order of discharge was made in contravention of Sec. 33 of the Industrial Disputes Act would not help the concerned workmen. The remedy for such a breach is provided by Section 33A of the Act which the concerned workmen failed to avail of in the instant case either collectively or individually."

In the present case the Reference has no doubt been made after the conciliation failed on the demand put forward by the workmen in 1956. but the demands as such which should have been made much earlier, were not made by these workmen. They have waited for nearly 25 years to wake up from the slumber. All the while there was a recognised Union for all the employees of the II Party *i.e*, the Mysore Paper Mills Labour Association. The present set of persons were also members of this Association and this fact has been admitted by W. W. 1 Gundu Rao. He admits that till the formation of the Staff Union in December 1965 all the 7 people named in the Reference were members of the Mysore Paper Mills Labour Association. It is also in the evidence of WWI and the other witnesses examined by the I Party that a case of discrimination of the present type was never put forward either individually or collectively by any of those workmen. In 1964 (I) LLJ 622. the Andhra Pradesh High Court has taken a similar view and has cited with approval a decision in 1959 (II) LLJ 26.

7. Let me examine the evidence of the I Party which has tried to explain the delay. W. W. 1 Gundu Rao was the former Assistant Secretary of the Mysore Paper Mills Labour Association.

At Present he is the Secretary of the Mysore Paper Mills Staff Union, and this Staff Union was formed in December 1965. His evidence is that in connection with the present dispute the Union has placed a charter of demands before the II Party as per Ex. M 7 and M 7 (a). Ex. M7 is dated 16th February 1966 and so is Ex. M 7 (a). On these demands conciliation was held and Ex. M5 is the conciliation proceedings. Out of the 4 demands, the union did not press three demands while it pressed the present demand. The discrimination is alleged to be in respect of the 7 workmen named in the Order of Reference. W. W. 1 admits that from 1st November 1944 all these persons were placed in different grades for the first time and according to him a discrimination has taken place right from 1940 He admits that the particulars given in Ex. M10 and M11 by the II Party are correct. From 1st April 1965 the grades are all uniform and even these agrieved persons mentioned in the Reference have no complaint except in regard to the difference in salary. It is suggested in the evidence of this witness that before 1963 the Mysore Paper Mills Labour Association had placed many demands for setting right the inequalities now complained of. The evidence of this witness is that the 7 persons named in the Order of Reference were complaining both orally and in writing about the inequalities in the fixation of salary from 1940. Ex. W6 is one such representation made to the General Manager through the Sectional Head Sri B. Krishnaswamy who has initialled Ex. W6. Ex. W7 is another written representation addrersed to the General Manager through the Superintendent, Bamboo Pul and Electrolizer Plant. The Superintendent has recommended on the margin of Ex. W7 . Ex. W6 is a representation seeking for interview. WW1 admits that upto 1958 ther was a demand by the Union in respect of Foremen. In 1958 there was a demand but a settlement has covered cases of these Foremen also. The Settlement of 1958 which coverd the cases of Foremen also was also in effect from 1958 to 1963. No Reference is produced to tribunal to show that any representations were made by these 7 people in 1953 W. W.1 admits that the 3 or 4 representations given in writing in 1958 were all individual representations. Some Foremen have made these representations in writing and these 7 people have also given written representations in 1958 for which there is no proof whatsoever. In 1959 also representations are said to have been made by these people but there is nothing to show this. Ex. W 2 has been signed by all the Foremen and Ex. W 2 is in respect of the general grievances of the Foremen as a class. Similarly Ex. W 3. The witness admits

that there is no specific reference in any of these documents to the discrimination or the grievances of these seven Foremen under Reference. Further, the witness admits that in 1964 he was the Assistant Secretary os the Labour Association. As Assistant Secretary he has signed Ex. M. 4 which covers the cases of the Foremen also. He admits that on the basis of Ex. M 4 Settlement, Allocation Statement Ex. M 4 (a) was prepared and he as the Secretary of the Labour Association of the Paper Mills, of which the seven persons named in the Reference were members, has signed Ex. M4 (a). Ex.M 4 (a) covers the entire class of Foremen including the General Foremen, Senior Foremen and Foremen as a class. As per Ex. M4 (a) separate grades were shown to the General Foremen, Senior Foremen and Foremen. Ex. M4 (b) has been signed by this witness and he has endorsed the correctness of the entries in M 4 (a). It is thus clear from the evidence of this witness that there is no substance in the contention of the I Party Union that there was any discrimination made as alleged by them.

8. W.W. 2 Channakesavaiah is another witness examined by the I Party. He joined service of the II Party on 22nd March 1939 as a Peaters' Assistant on a daily wage of Rs. 0.50 paise. He was confirmed on 1st August 1941 as a Foreman on a monthly salary of Rs. 25/-. His educational qualification is only Mysore Lower Secondary course. He says that the other friends of his and particularly Sri T. M. Narayanaswamy was given a higher start than him and he has given a rious reason for that which cannot be accepted. He says that in this connection he made several oral and written representations to the Superintendent bringing to his notice grievances in the matter of fixation of the salaries and different scales. The Superintendent was telling this witness that his grievances would be redressed. There is no evidence to show this excepting his own interested version. In 1944 there was a revision in the grades of Foremen. This witness was given an annual increment of Rs. 3 while T. M. Narayanaswamy was given Rs. 5 and Krishnaswamy and Venkataswamy were given Rs. 4 each. In this connection the witness says that he and his friends made representations to the then General Manager and he promised to set right the matter. Ex. W6 was given by this witness along with Krishnaswamy, seeking permission to interview the General Manager. In 1956 he gave another representation to the General Manager through the Superintendent. Ex. W8 is a copy of that representation which has been marked subject to proof, but no

proof is forthcoming. He gave another application to the Manager through the Superintendent and Ex. W10 is a copy of that application. Again Ex. W10 has not been proved. Besides this application the witness gave many other applications to the Superintendent in connection with his salary. Ex. W11 is a representation signed by all the Foremen given to the President of the Union not to include the cases of Foremen in the Truce Agreement. Even after 1958 he has given several representations to the General Manager with copies to the Chairman and the Labour Commissioner. In 1959 all the Foremen jointly gave a representation to permit them to see the General Manager. It is Ex. W13. Ex. M14 is the postal acknowledgement. Inspite of these representations and the assurances given by the management to these people, their lot was not improved. Therefore in December 1965 they formed a Staff Union. After the Staff Union was formed they placed their demands regarding the difference in salary. In 1966, 8th August, T. M. Narayanaswamy and this witness and all the Foremen were brought to one scale. Grievances of this witness appear to be more because some of the Foremen who joined service about 7 or 8 years ago were placed on a par with this witness. It is not so much that he was not placed along with T. M. Narayanaswamy and others. Thes 7 people and W.W. 1 are the founders of the Staff Union and at the present moment there are only 13 members in the Staff Union as against a total number of 115 Foremen. He admits that from 1939 to 1942 he had not made any written representation regarding the differences in fixation of wages between him and Narayanaswamy. Till 1942 the witness did not give any written representation. It is in only 1943 the witness gave a written representation as per Ex. W10. Even in Ex. W10 nothing is mentioned about the discrimination made between this witness and Narayanaswamy, and the witness has not produced any document to show that he ever made any representation in regard to the discrimination between him and Narayanaswamy. Ex. W16 is a copy of the representation sent to the General Manager on 14th September 1962. This is admitted subject to proof and no proof is forthcoming. Even in this document the names of Madhusudhan and Venkatesh do not find a place. So also in Ex. W17. The witness admits that as per the various settlement from time to time between the II Party and the Labour Association seven Settlements have taken place and as per these various settlements D. A. and other benefits were given to this witness and his friends also. As per the settlement of 1958 the grades of the Foremen

were revised and he also got the benefit of the revision. Even in the Settlement of 1961 the grades of Foremen were revised and all the class of Foremen got this benefit. The Settlement of 1966 placed this witness and the other persons mentioned in the Order of Reference on a par with the others with effect from 1st April 1965 and they have also become senior foremen with similar salaries and grades. So much so there can be no grievance whatsoever for these people to complain. At any rate, there is no convincing proof to show that either this witness or the other persons mentioned in the Order of Reference ever tried to voice their grievances in regard to the discrimination. The witness has produced Ex. W32 said to have been given by him to M. W. 2 Sri Umanatha Rao. This Umanatha Rao was examined by the II Party and when he was in the Witness Box, this witness did not produce Ex. W32 and confront Sri Umanatha Rao with this document. What explanation Sri Umanatha Rao has given to this Ex. 32, it is not clear and Sri Umanatha Rao himself has not admitted this document. But anyway the witness admits that as against the remarks said to have been made on Ex. W32 by Sri Umanatha Rao he did not prefer any appeal. In the matter of the delay in representing their grievances the evidence of the other witnesses *viz.*, W. W. 3, W. W. 4 W. W. 5 and W. W. 6 stands on the same footing. It is unnecessary for me to refer to that evidence in great detail. Sri Subba Rao argued that till the Staff Union was formed in December 1965, the Mysore Paper Mills Labour Association did not take up the cause of these 7 people. This argument has no substance whatsoever because it is admitted both by W. W. 1 and W. W. 2 that several Settlements came about between the II Party and the Mysore Paper Mills Labour Association and everyone of these people has taken the benefit of these settlements. Either there has been no discrimination whatsoever and even if there should be any such discrimination, it is a justifiable discrimination as has been explained by Sri Umanatha Rao in his evidence to which I will presently refer, or the only other possible explanation will be that these persons have waived their right by not presenting their claim in time. Anyway the discrimination which is alleged to have started in the year 1940 cannot be said to be the subject matter of a Reference in the year 1966 and 1967. For more than 25 years *i. e.*, for more than a generation these people have kept quiet and it is only in 1966 they have opened their eyes. I would say that this is a much stronger case than the one which I have referred to above. The delay in the cases referred to above

was only in the Government making References, whereas in the present case the delay goes to the very root of the matter. Their Lordships of the Supreme Court in 1959 (II) LLJ 26 have also indicated that these workmen should have filed applications under Section 33A complaining of the grievances against the II Party if the Government did not make such Reference in time. That has not been done. Therefore by any stretch of imagination the delay in this case is difficult to explain. On that point alone the Reference has to be thrown out.

9. I now proceed to the other aspect of the case *viz.*, the scope of this Reference. In doing so I once again repeat the exact wordings of this Reference which read as follows :—

> "Is the Management of the Mysore Paper Mills Ltd., Bhadravathi, justified in confirming the following seven Foremen in different Grades and different rates of salary thereby discriminating one against the other with effect from the year 1940 and onwards, even though the nature of work and degree of responsibility is the same ?

The names of those seven people have been given in the Order of Reference. A plain reading of this Reference will show that the discrimination if at all either in the matter of salary or in the matter of fixation of grades, must confine itself only to these 7 people because the Reference does not say that compared to the other class of Foremen who are nearly 115 in number, these people have been discriminated. That is what exactly the I Party is trying to make out and in doing so the I Party is trying to enlarge the scope of this Reference and the powers of the tribunal. In 1962 (I) LLJ the Supreme Court has very clearly laid down as follows :—

> "Were the Reference read as 'Whether leave facilities should be increased and if so, to what extent, the industrial tribunal would have no jurisdiction to fix the quantum of festival holidays as it would be beyond the scope of the Reference."

Section 10 (4) of the Industrial Disputes Act very clearly lays down the limit and the scope of the Reference and the powers of the tribunal in interpreting the scope of the Reference. Section 10(4) reads :—

> "Where in an Order referring an industrial dispute to a Labour Court, tribunal or National Tribunal under

> this section or in a subsequent order the appropriate Government has specified the points of dispute for adjudication, the Labour Court or the tribunal or the National tribunal as the case may be shall confine its adjudication to those points and matters incidental thereto."

It is therefore clear from the wordings of Section. 10 (4) that the tribunal has no option but to confine itself to the order of Reference and adjudicate upon the same. When the Reference very specifically says in this case that the discrimination if at all, is between these 7 people it is not open to the tribunal to go beyond this Reference and bring in other class of Foremen who are not parties to this dispute and who are not before this tribunal. If the I Party felt that the scope of the present Reference is too narrow it could have been open to the I party to have moved the Government for an amendment of the Reference. Such a thing has not been done. 1961 (II) LLJ 114 may also be referred to in this connection. Their Lordships of the Supreme Court have held that:—

> "In interpreting the terms of a Reference it would be unreasonable to rely upon the definitions of the workmen specified in the Act apart from and independently of the discriptive clause which limited them in the instant case to the category of workmen represented by the Respondent Union. The fact that the Industrial Tribunal hearing the dispute allowed representation to the Clerical staff also would not widen the jurisdiction and the scope of the Reference. It is true that under Section 36 of the Industrial Disputes Act it is open to the employees whose dispute has been referred for industrial adjudication to appear either individually or through their Union, but Section. 36 of the Act postulates a valid Reference being made on behalf of the employees concerned. If the Reference does not include the Clerical Staff and their grievances, it would not be open to the members of the Clerical Staff to bring their grievances before the tribunal by their individual applications or for the tribunal to widen the scope of its enquiry beyond the terms of the Reference by entertaining such individual applications."

Similarly their Lordships of the Supreme Court observed in 1961. (II, LLJ 691 that the scope of the Reference cannot be widened and the tribunal must confine itself to the actual wordings of the

Reference. To the same effect is another case in 1961 (II) LLJ 660. In 1962 (II) LLJ 227 their Lordships of the Supreme Court have observed:—

> "It is hardly necessary to emphasise that since the jurisdiction of the industrial tribunal io dealing with industrial disputes referred to it under Section. 10 is limited by Section 10 (4) to the points specifically mentioned in the Reference and matters incidental thereto."

XVI F. J. R page 133 may also be referred to in this connection. As it is, the I party in this case has not confined itself to the discrimination between the cases of persons mentioned in the Order of Reference but has tried to show that the case of these seven people have been discriminated from the cases of the persons mentioned in the claim statement. *viz.*, T. M. Narayanaswamy, Madhusudhan, Gopalaswamy Rao, etc. Those people are not before court and any decision given by this tribunal behind their back will not be binding on those people. The basis for the argument that the persons mentioned in the Order of Reference have been discriminated from those others, is that they have also been doing the same work and shouldered the same responsibility as the other class of Foremen and yet they are not given equal pay or placed on equal status as others. In this connection the II party has examined Sri Umanatha Rao to explain the reasons as to why these 7 people ware placed in different grades in 1944. Sri Umanatha Rao was the General Manager of the II Party from 1943 to 1949. Exhibits M. 12 to M. 20 were issued by him and they were also signed by him. At the time the grades of the persons mentioned in Ex M. 10 were fixed, he was the General Manager and they were fixed under his directions. On the basis of the Educational qualifications, their post service and the importance of the departments for the scheme of production, these grades were fixed. T. M. Narayanaswamy was given a higher grade than Channakeshavaiah W. W. 2, Krishnaswamy and Venkatiah, taking into consideration the efficiency and his good work and also taking into consideration his educational qualifications. Further he says that none of the persons mentioned in the Order of Reference ever made any grievance or complained to him while he was in the Office, about the discrimination Admittedly this Narayanaswamy has passed the S. S. L. C. Examination, Madhusudhan has passed the Intermediate, Ranganna is holding a Diploma of Mechanical Engineering while M. R. Gopalaswamy Rao is also Senior Intermediate, so also Venkatiah is holding a Diploma. Compared to these people this Channakeshaviah

W. W. 2, held education qualification of Middle School 1st year while H. K. Venkataramiah did not have any educational qualifications. M. V. Narayana Rao had only studied up to S. S. L. C. and so also A. V. Krishnaswamy. It is admitted by every one of these workmen in their evidence that they had no grievance whatsoever against Sri Umanatha Rao and Sri Umanatha Rao was also highly impartial against whom these people also did not have any grievance. Sri Umanatha Rao has given the reasons as to why they were placed in different grades. Taking their Educational qualifications, their efficiency and aptitude for work and their age and future of the department, these people were placed in the various grades. There is no law to the effect that persons doing the same work and holding the same resonsibility should be classified on the same basis. In the Supreme Court Notes, page 292, 15th September 1967, the following are the observations of the Supreme Court:—

> "The provisions of Article 14 or Article 16 do not include the laying down of selective tests nor do they preclude the Government from laying down qualifications for the post in question. Such qualification need not be only technical but they can also be general qualifications, relating to the suitability of the candidate for public service as such. It is therefore no right to say that in the appointment to the post of Tracers the Government ought to have taken into account only the technical proficiecoy of the candidate in the particular craft. It is open to the Government to consider also the General Qualification of the candidate and to give preference to candidates who have a better educational qualifications besides technical proficiency of a Tracer. Higher educational qualifications such a success in the S. S. L. C. examination are relevant considerations for fixing higher pay scales for Tracers who have passed the S. S. L. C. Exam nation, and the classification of 2 grades of Tracers with a higher pay scale and the other for non-matriculate Tracers with a lower pay scales is not violative of Article 14 and 16 of the Constitution."

10. As has been rightly explained by Sri Umanatha Rao against whom none of these workers had any grievance, and Sri Umanatha Rao also had no prejudice against any of these people. that these different grades had to be introduced in the interest of

the II Party's production Scheme If W. W. 2 Channakeshaviah was only Middle 1st year, he could certainly not claim a preference over T. M. Narayanaswamy or Madhusudhan or Ranganna who admittedly held higher qualifications. It is not true that for being a Foreman no qualifications were prescribed. But it must be remembered that a Foreman will not remain always a Foreman. There are chances of his being promoted depending upon his efficiency, his educational attainmentt etc.

11. The II party has contended that by virtue of the various settlements the I party workmen, or at any rate these seven workmen, are prohibited from raising this dispute, particularly they having taken the benefits under the various settlements. The case of the II Party has been narrated in paras 3 and 4 of the counter statement. I have already referred to in my earlier portion of this award that W. W. 2 and W. W. 1 have admitted the truth of these various settlements Further they have admitted having taken the benefits under the settlements. In fact the recent settlement of 8th August 1966 has actually given these people the benefit of a uniform scale of pay along with T. M. Narayanaswamy and others with effect from 1st April 1965. The fact that this settlement is subsequent to the Reference does not make much difference. It is the settlement that should prevail. In that view of the matter also I am of the opinion that the I Party workmen cannot re-open the matter again having taken the benefits under the former settlement.

12. In the result my finding on Issue No. 3 is that this Reference is bad in law as contended by the II party in paras 2, 3 and 5 of their counter-statement and it is laid for the various reasons which I have given. For the same reasons I hold on Issue No. 4 that the Government was not competent to make a Reference of this type and this Reference is illegal, void and inoperative and liable to be rejected. My finding on Issue No 1 is tha the I Party has failed to prove that the II party has adopted a policy of discrimination, and my finding on the latter part of Issue No. 1 is that prior to 1st April 1965 these seven persons named in the Order of Reference are not entitled to be treated like Narayanaswamy, Madhusudhan and Ranganna and to be placed in the scale of Rs. 125-10-200-12-50-300. It is in evidence that subsequent to 1st April 1965 by virtue of the settlement these seven people were also placed ia the same grade as those like Narayanaswamy, Madhusudhan and Ranganna. My finding on Issue No. 2 is that

the I Party has not lost any financial benefit as pleaded by them, much less are they entitled to the loss of any such imaginary financial benefit.

13. In the result this Reference fails and the same is rejected. Under the circumstances, each party will bear its own costs.

A. PANCHAKSHARIAH,
Presiding Officer,
Industrial Tribunal,
Bangalore-2.
30-10-67.

ORDER

Bangalore, dated the 7—14th November 1967.

S. O. 2218.—WHEREAS by State Government Order No. LMA 268 LLD 66, dated 28th July 1966, the Industrial Dispute between the Workmen and the Management of Mysore Paper Mills, Ltd., Bhadravathi, was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Additional Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute.

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 268 LLD 66.]

By Order and in the name of the Governor of Mysore,

1450 G. G. PUROHIT, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore dated 18th November 1967.

S.O. 2219.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Kaolin to Shri B. K. Chikkanna in the following areas of the Hoskote Taluk, Bangalore District, on the terms and conditions mentioned below :—

Village	*S. No.*	*Area*
Injanaballi	13 (Part)	28 acres (11.33 hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and conditions.

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government.

2. The licensee shall pay to Government a prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year.

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14(ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time ;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957) ;

6. If any other mineral is traced during the course of prospecting the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government ;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the Prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence

is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage.

13. The above mentioned area is subject to verification after actual survey.

[No. CI 234 EPQ 67.]

By Order and in the name of the Governor of Mysore,

1479 N. NARAYANASWAMY, *Under Secretary.*

NOTIFICATION

Bangalore, dated 17*th November* 1967.

S.O. 2220.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of Government of India, accorded under sub section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction, the grant to Messrs Shri Ram Mining Co., Belgaum of a Mining Lease for thirty years for Iron Ore in respect of the area of 176 acres (71–23 hectares) of land in F. S. Nos. 57 and .87 of Anmod Village, Supa Taluk, North Kanara District, as per sketch furnished by the Director of Mines and Geology, Bangalore.

2. The grant of the above lease is subject to the terms and conditions mentioned below:—

(*a*) Mining Lease should be in respect of Iron Ore only. If other minerals are found in association with Iron Ore, they should be brought to the notice of Government and if the lessee desires to mine these minerals along with Iron Ore he should do so only after the consent of Government is obtained in writing.

(*b*) Royalty at the rates prescribed in the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, or the dead rent at the rate of Rs. 12-50 per hectare per annum, whichever is greater, shall be charged provided that dead rent shall not be payable for the first year of the lease.

(*c*) Surface rent at the rate of Rs. 2–50 per hectare per annum on the actual area used by the lessee for mining purposes shall be charged.

(*d*) If beryl or any other "Substance Prescribed" under Section 3 of the Atomic Energy Act No. XXIX of 1948 is found to occur in the

property under the lease, the lessee shall make available such mineral to the Government of India.

(e) The lease shall be subject to the provisions of Rules in Chapter IV of the Mineral Concession Rules, 1960.

(f) The lease shall also be subject to the rules issued under Section 18 of the Mines and Minerals (Regulation and Development) Act, 1957.

(g) The lessee shall pay to the Director of Mines and Geology in Mysore, Bangalore, necessary security deposit for due observance of the terms and conditions of the lease in accordance with Rule 32 of the Mineral Concession Rules, 1960, before the lease is issued to him.

(h) The lessee shall submit confidentially from time to time or when required progress reports to the Director of Mines and Geology along with analysis and representative samples of the ores collected during the mining operations.

(i) The lease shall be governed by all conditions that may be incorporated in the lease deed to be executed.

(j) The lessee shall abide by the Rules contained in the Mysore State Forest Manual, if the leased area covers any forest lands.

(k) The total area held by the lessee under Mining Leases including the present one shall not exceed 25.9 Sq. Kilo-metres.

(l) Government shall have the right of purchasing the ore at current market rates.

(m) The lease would be determined if the Lessee fails to commence effective mining operations within one year from the date of execution of Lease Deed.

(*n*) The area mentioned above is subject to verification after actual survey.

(*o*) Subject to the condition that the lessees shall undertake to produce a minimum of 10,000 tons of ore during the first year of the lease and 15,000 to 20,000 tons per year thereafter.

[No. CI 126 EMI 67.]

By Order and in the name of the Governor of Mysore,

1463 K. PANDURANGA RAO, *Deputy Secy.*

NOTIFICATION.

Bangalore, dated 17th November 1967.

S. O. 2221.—In exercise of the powers conferred by sub-section (1) of Section 4 of the Employment Exchanges (compulsory Notification of vacancies) Act 1959 (Central Act 31 of 1959) read with clause (5) of rule 2 of the Employment Exchanges (compulsory Notification of vacancies) Rules 1960 and in supersession of all orders on the subject, the Government of Mysore hereby prescribes the employment exchanges specified in column (2) of the Schedule below to be local employment exchanges for the establishments situated in the areas specified in the corresponding entries in column (3) thereof for purposes of the said Act and the said Rules.

SCHEDULE

Sl. No. 1	Name of the Employment Exchange 2		Area of Jurisdiction 3	
1.	Sub-Regional Employment Exchange,	Bangalore	Bangalore District.	
2.	District Employment Exchange	Bidar	Bidar	do
3.	do	Belgaum	Belgaum	do
4.	do	Bellary	Bellary	do
5.	do	Bijapur	Bijapur	do
6.	do	Chickmagalur	Chickmagalur	do
7.	do	Chitradurga	Chitradurga	do
8.	do	Gulbarga	Gulbarga	do
9.	do	Hassan	Hassan	do
10.	do	Karwar	North Kanara	do
11.	do	Mandya	Mandya	do
12.	do	Mangalore	South Kanara	do
13.	do	Mercara	Coorg	do
14.	do	Mysore	Mysore	do
15.	do	Hubli	Dharwar	do
16.	do	Oogaum (K. G. F.)	Kolar	do
17.	do	Raichur	Raichur	do
18.	do	Shimoga	Shimoga	do
19.	do	Tumkur	Tumkur	do

[No. LMA 22 LEX 67.]

By Order and in the name of the Governor of Mysore.

1475 I. S. SHAIKH, *Deputy Secy.*

NOTIFICATION.

Bangalore, dated 18th November 1967.

S. O. 2222.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Manganese & Iron Ore to Messrs. Doddanavar Brothers in the following areas of the Supa Taluk, North Kanara District, on the terms and conditions mentioned below :—

Village	*S. Nos.*	*Area*	(As delineated in the plan as furnished by the Department of Mines and Geology)
Ninoor	Part of F.S. No. 53	200 Acres (30.94 hectares)	

Terms and Conditions :—

1. The licence shall be operative for a period of two years with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government;

2. The licensee shall pay to Government a Prospecting fee of Rs. 2-50 per hectare of the land covered by the licence for each year or portion of a year;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty, shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in second schedule to the Mines and Minerals (Regulation and Development) Act, 1957, and as amended from time to time;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under licence ;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with survey numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee ;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence ;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the prospecting licence as also any accounts, plans and records maintained by him ;

10. The licensee shall, before the licence is issued to him, deposit as security a sum of Rs. 200 in respect of every square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified geologist or a mining Engineer to conduct the prospecting methodically ; and

12. The licensee shall not give any ore-raising contract during the prospecting stage .

13. The above mentioned area is subject to verification after actual survey. and

14. Subject to the special condition that the licensee shall have no right to claim any compensation from Govt. if the area gets submerged consequent to the execution of Kalinadi Hydro-Electric Project before the expiry of Prospecting Licence.

[No. CI 118 EPI 67.]

By Order and in the name of the Governor of Mysore,

1477 N. NARAYANASWAMY, *Under Secretary.*

NOTIFICATION.

Bangalore, dated 20th November 1967.

S. O. 2223.—In pursuance of sub-section (1) of Section 5 of the Mines and Minerals (Regulation and Development) Act, 1957, and after obtaining the approval of the Government of India, accorded under sub-section (2) of Section 5 of the said Act, the Government of Mysore are pleased to sanction the grant of a Prospecting Licence for Iron ore to Shri D. Narayana in the following areas of the Chicknaikanahalli Taluk, Tumkur District, on the terms and conditions mentioned below :—

Village s/s	*S. Nos*	*Area*
Gollarhalli -	12 (Part)	10 Acres
Honnebagi -	130	(4.05 Hectares)

(As delineated in the plan as furnished by the Department of Mines and Geology).

Terms and Conditions.—

1. The licence shall be operative for a period of One year with effect from the date of execution. The option to renew the licence for a further period shall be reserved to Government;

2. The licensee shall pay to Government a prospecting fee of Rs. 2.50 per hectare of the land covered by the licence for each year or portion of a year;

3. The quantity of ore to be removed under this licence, both on payment of royalty and free of royalty shall be in accordance with the limits prescribed under Rule 14 (ii) and (iii) and under Schedule III respectively, of the Mineral Concession Rules, 1960. The royalty payable on the minerals shall be in accordance with the rates prescribed in Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957 and as amended from time to time;

4. The licensee shall make available to the Government of India beryl or any other 'substance prescribed' under Section 3 of the Atomic Energy Act No. XXIX of 1948, if they occur in the property under Licence;

5. The licence shall be subject to the rules issued under Sections 13 and 18 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957);

6. If any other mineral is traced during the course of prospecting, the licensee shall report about the same to the Director of Mines and Geology and shall not work such mineral without obtaining prior permission of Government;

7. The licensee shall furnish an accurate final map of the areas covered by the licence together with a description, giving the situation and boundaries of the areas duly attested by the licensee. The Director of Mines and Geology is authorised to get the accurate final map with Survey Numbers, etc., prepared and demarcation done before executing the licence if the licensee so desired and to recover the cost of the same from the licensee;

8. The licensee shall, before the deposit is returned to him, submit confidentially to the Director of Mines and Geology from time to time or whenever required a full report of the work done by him and disclose all information acquired in the course of the operations carried on under the licence regarding the geology and mineral resources of the area covered by the licence;

9. The licensee shall allow any officer authorised by the Central or the State Government to inspect at any time the area covered by the prospecting licence as also any accounts, plans and records maintained by him;

10. The licensee shall, before the licence is issued to him deposit as Security a sum of Rs. 200 in respect of every

square kilometre or part thereof for which the licence is granted for due observance of the terms and conditions of the licence ;

11. The licensee shall engage a qualified Geologist or a Mining Engineer to conduct the prospecting methodically ;

12. The licensee shall not give any ore-raising contract during the prospecting stage ; and

13. The above mentioned area is subject to verification after actual survey.

(No CI 178 EPO 67.)

By Order and in the name of the Governor of Mysore,

1056 N. NARAYANASWAMY, *Under Secy*

GOVERNMENT OF MYSORE

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).
FOOD, CIVIL SUPPLIES,

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Narasimha Furniture Works. Tumkur.

Award of the Industrial, Tribunal Bangalore published.

Read the following papers

(i) Letter I. T. No. 1246-7/67-68 dated 13th November 1967 from Shri A. Panchakshariah, Presiding Officer, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 10th November 1967.

Present :

Sri A. Panchakshariah, B. A. (Hons) LL. B., *Presiding Officer*,

I.D. No. 180 of 1966.

First Party.		*Second Party.*
Workmen of Sri Narasimha Furniture Works, Tumkur.	*Vs*	Management of Sri Narasimha Furniture works, Tumkur.

Appearances.

Sri S. Sundaram, Secretary. Tumkur District Auto-vehicles Body Building, Smith and Furniture Making Workers' Union, Tumkur and Sri V. P. Ananthakrishnan, Advocate, Bangalore. ... ***For I Party.***

Sri V. K. Balasundaram, Advocate, Tumkur and Sri B. Gopaliah Advocate, Bangalore. ... ***For II Party.***

Reference.

G. O. No. LMA 542 LLD 66, Bangalore, dated 15.12.1963.

AWARD

The workmen of Sri Narasimha Furniture Works, Tumkur, placed three demands before the Management of Sri Narasimha Furniture Works, Tumkur. Those demands are in respect of Gratuity of 15 months' pay to be paid to workmen at the time of his discharge, dearness linked to the price index to be given beginning from 1st January 1965 and two sets of uniforms to be given to each worker every year with effect from 1965. These demands were the subject matter of a conciliation and the parties did not come to any understanding or settlement before the Conciliator and a failure report was submitted by the Conciliator to the Government. On this failure report the Government of Mysore in their Order No. LMA 512 LLD 66, dated 15th December 1966 have referred under Sec. 10 (1) (d) of the Industrial Disputes Act, 1947, these points of Dispute for adjudication to this tribunal. The same was registered as I.D. No. 180 of 1966 and Notices were issued to the parties to file their respective pleadings. The I Party filed a claim statement on 20th February 1967 through their President Sri B. P. Gangadharan and Secretary Sri S. Sundaram.

2. In the course of their claim statement the I Party workmen have justified their claim for introduction of a Scheme of Gratuity, for payment of dearness allowance linked to the cost of living and for grant of uniforms. The II Party opposed these demands in the counter statement filed by the Proprietor of Sri Narasimha Furniture Works. It was also contended that this dispute does not amount to an industrial dispute for the reasons mentioned in para 1 of the counter statement. On the basis of these pleadings three issues were framed by me in addition to the points of dispute scheduled in the Order of Reference. The case was taken up for evidende. It was taken up at Tumkur Camp on 8th November 1967 and 9th November 1967 when the II Party examined three witnesses and cross examination had been reserved at the request of the counsel for the I Party. On 9th Nov. 1967 when the case was taken up for further hearing, both the parties arrived at a settlement and filed a Joint Memorandum of Settlement. The I Party is represented by Sri V. P. Anauthakrishnan, Advocate, Bangalore, and the II Party is represented by Sri V. K. Balasundaram, Advocate, Tumkur and Sri B. Gopabah, Advocate, Bangalore. According to the Memorandum of Settlement the I party gave up demands Nos. 1 and 3 and confined themselves only to demand No. 2.

3. According to this Settlement the II party agreed to pay dearness allowance at the rate of Rs. 0.50 per working day per worker to all the workers borne on the establishment on 1-t November 1967 commencing from 1st July 1967 and during the period of this agreement. It is also agreed that this agreement will be in force for a period of two years from this date during which period the I Party workmen will continue to do the work satisfactorily. D.A. prior to 1st November 1967 at the same rate is agreed to be paid within a month from this date. On this understanding both the parties filed the Memorandum of Settlement signed by both the Advocates for the II Party as also the II Party himself and by Sri V. P. Ananthakrishnan, Advocate and Sri S. Sundaram, Secretary of the I Party Union, for the I Party. Both the parties requested this tribunal to pass an award in terms of this Settlement. I accept the terms of the settlement as the same are beneficial to both the parties. Accordingly I pass an award in terms of the Memorandum of Settlement. This Memorandum of Settlement is annexed to this Award and it will form part of this award.

4. In the circumstances, each party will bear its own costs.

A. PANCHAKSHARIAH.

Presiding Officer,

Industrial Tribunal, Bangalore.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Camp–Tumkur

I.D. No. 180 of 1966.

Workmen of Narasimha Furniture Works. Tumkur. ... *I Party*

Management of Narasimha Furniture Works. Tumkur ... *II Party*

MEMORANDUM OF SETTLEMENT

The parties to the above dispute have arrived at the following Settlement :—

(1) The Management agrees to pay Dearness Allowance of Re. 0-50 per working day to all workers borne on the establishment on 1st November 1967 commencing from 1st July 1967 and during the period of this agreement.

(2 The First Party gives up all the other points of disputes in the Order of Reference.

(3) This Agreement will be in force for a period of two years from this day.

(4) The First Party workmen will continue to do satisfactory work during the period of this agreement.

(5. The Dearness Allowance for the period prior to 1st November 1967 shall be paid within one month.

(6) Both parties pray that an Award may kindly be passed in terms of this Settlement.

For I Party.

S. Sundaram Secretary,
I Party Union.
V. P. Ananthakrishnan
Advocate, Bangalore.

For II Party.

T. C. Narasimhaiah
Proprietor II Party.
B. Gopaliah Advocate for
II Party. Bangalore.

V. K. Balasundaram
Advocate for II Party,
Tumkur.

A. PANCHAKSHARIAH.
Presiding Officer,
Industrial Tribunal, Bangalore.

ORDER.

Bangalore, dated 17th November 1967.

S. O. 2224.—WHEREAS by State Government Order No. L [illegible]A 542 LLD 66, dated 15th December 1966, the Industrial Dispute between the Workmen and the Management of Narasimha Furniture Works, Tumkur, was referred to the Industrial Tribunal, Bangalore for adjudication.

AND WHEREAS the Industrial Tribunal, Bangalore, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No LMA 542 LLD 66.]

By Order and in the name of the Governor of Mysore,

1466 G. G. PUROHIT, *Under Secy.*

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION

Bangalore, dated 20th November 1967

S. O. 2225.—In pursuance of Section 8 (2) of the Mines and Minerals (Regulation and Development) Act, 1957 and after obtaining approval of the Government of India, accorded under proviso to the said Section 8 (2) and Section 31 of the said Act, the Government of Mysore are pleased to renew the Mining Lease held by M/s. Tiffin's Barytes Asbestos and Paints Ltd., referred to in the following Schedule for a further period of 20 years with effect from 26th May 1968.

SCHEDULE

No. and date of the Government Order sanctioning the Mining Lease.	ORE.	Extent. Area	
The lease sanctioned to Sri Dasharatharama Reddy for red oxide of iron was transferred by the Government of Madras in favour of M/s. Tiffins' Barytes Asbestos and Paints Ltd. The inclusion of Iron Ore was sanctioned by the Government of Mysore in Government Order No. C and D 6677-79 Geo. 52-55-6, dated 3rd February 1956.		472-32 acres.	Hargondana village. Bellary Taluk and Bellary District.

[No. CI 198 EMO 67.]

By Order and in the name of the Governor of Mysore,

1476 N. NARAYANASWAMY, *Under Secy.*

Revenue Secretariat

NOTIFICATION.

Bangalore, dated 23rd November 1967.

S. O. 2226.—In exercise of the powers conferred by sub-section (1) of Section 111 of the Mysore Land Reforms Act, 1961 (Mysore Act 10 of 1962), the Government of Mysore hereby constitutes with effect from 4th December 1967 the Land Tribunals mentioned in column 2 of the Schedule below for the areas specified in the corresponding entries in column 4 and appoints the officers mentioned in column 3 thereof as the members of the Land Tribunal mentioned in column 2.

SCHEDULE.

Sl. No.	Land Tribunals	Names of the Munsiffs (Members and present designation	Area
1	2	3	4
		Sriyu'hs	
1	Bangalore Land Tribunal	S. V. Tilgul, M.A. LL.B., Addl. I Class Magistrate, Bangalore.	Anekal Taluk, Bangalore North Taluk, Bangalore South Taluk, City of Bangalore, Hoskote Taluk, Devanahalli Taluk and Doddaballapur Taluk.
2	Ramanagaram Land Tribunal	E. M. Siddappa, B.A., LL.B., II Munsiff, Bangalore.	Channapatna Taluk, Magadi Taluk, Kanakapura Taluk, Nelamangala Taluk, and Ramanagaram Taluk.
3	Belgaum Land Tribunal	B. K. Somasekhara, B.Sc., B.L., II Addl. Munsiff, Belgaum.	Belgaum Taluk,

1	2	3	4
4	Bijapur Land Tribunal	N. G. Gadag, B.A.,LL.B., Munsiff, & J.M.F.C., Bagalkot.	Bagewadi Taluk, Bijapur Taluk, Indi Taluk, Muddebehal Taluk and Sindigi Taluk.
5	Jamkhandi Land Tribunal	R. P. Chatni, LL.B., Munsiff Magistrate, Korpal.	Badami Taluk, Bagalkot Taluk, Bilgi Taluk, Hungund Taluk, Jamkhandi Taluk and Mudhol Taluk.
6	Narasimbaraja-pura Land Tribunal	M. S. Murdikar, B.Sc.,LL.B., Munsiff & J. M.F.C. Ron.	Chickmagalur District.
7	Dharwar Land Tribunal	Nemiraja Malla, M.A., B.L., Munsiff, Dharwar.	Dharwar Taluk, Hubli Taluk, Kalghatgi Taluk and Kundgol Taluk.
8	Haveri Land Tribunal	M. V. Sheelavant, M.A., LLB., J.M.F.C., I Court, Hubli	Hanagal Taluk and Haveri Taluk.
9	Ranebennur Land Tribunal	Syed Faslulla Razvi, B.A., B.L, Munsiff & J.M.F.C., Ranebennur	Byadgi Taluk, Hirekerur Taluk and Ranebennur Taluk.
10	Hassan Land Tribunal	M. Niranjanamurthy, B.Sc., B.L., Munsiff Magistrate, Tarikere.	Hassan District.
11	Karwar Land Tribunal	L. P. Patil, B.A., LL.B., Munsiff & J.M.F.C., Karwar.	*Vide* Annexure D.
12	Hannavar Land Tribunal	K. B. Vaidya, B.A. (Hons:), LL.B., Munsiff & J.M.F.C., Bhatkal.	*Vide* Annexure B.

1	2	3	4
13	Sirsi Land Tribunal	M. V. Arakeri, LL.B., Munsiff & J.M.F.C., Navalgund	Mundgod Taluk, Siddapur Taluk, and Sirsi Taluk.
14	Mangalore Land Tribunal	S. Narayana Murthy, B.A., LL.B., Munsiff Magistrate, Belthangadi.	*Vide* Annexure E.
15	Coondapur Land Tribunal	Ranganathachar Agnihothri, B.A.LL.B., Additional Munsiff-*cum* Magistrate, Coondapur	*Vide* Annexure A.
16	Karkal Land Tribunal	P. L. Kumaraswamy B.A., LL.B., Munsiff, Karkal	*Vide* Annexure C.
17	Puttur Land Tribunal	K. R. Ramaswamy Iyengar BSc., B.L., II Addl. Munsiff, Puttur	*Vide* Annexure F.
18	Udipi Land Tribunal	V.R. Katarki, LL.B., Addl. Munsiff and J.M.F.C., Haveri	*Vide* Annexure G.
19	Srirangapatna Land Tribunal	N. B. Kampegowda BA., B L., Special I Class Magistrate, Srirangapatna	Mandya District.
20	Kolar Land Tribunal	T. Chikkanna, B.Sc., B.L., Munsiff, Chikaballapur	Kolar District.

1	2	3	4
21	Mysore Land Tribunal	A. K. Channegowda, B.A. LL.B., II City Magistrate Mysore	Hergadadevanakote, Taluk, Hansur Taluk, Mysore Taluk, including Mysore City, Periyapatna Taluk and Tirumakudalu Narasipur Taluk.
22	Nanjangud Land Tribunal	C. K. Mallikarjuna, B.A.,BL., Addl. I Munsiff, Mysore.	Chamarajanagar Taluk Gundlupet Taluk, Krishnarajanagara Taluk, Nanjangud Taluk Kollegal Taluk and Yelandur Taluk.
	Shimoga Land Tribunal	A. Ramaiah, B.A.,LL.B., I Class Magistrate, Bangalore.	Shimoga Taluk, Bhadravati Taluk, Channagiri Taluk, Honnali Taluk and Thirthahalli Taluk.
	Sagar Land Tribunal	Neelakantappa Bannappa Bhavi, B.Sc., LL.B., Munsiff Magistrate, Bidar.	Hosanagara Taluk, Sagar Taluk, Shikaripur Taluk and Sorab Taluk.

[No. RD 126 LRY 67.]

By Order and in the name of the Governor of Mysore,

K. MADIAH,

Special Officer for Land Tribunal and
Ex-officio Deputy Secretary to Govt.,
Revenue Department.

1496

ANNEXURE—A

101 Villages of Coondapur Taluk } Total 133 villages.
32 Villages of Udipi taluk. }

Sl. No.	Name of the village	Sl. No.	Name of the village
	Byndoor Firka	33	Allor
1	Shiroor	34	Narkur
2	Yedthare	35	Nakladi
3	Byndoor	36	Shenapura
4	Paduvari.	37	Katabelthur
5	Taggarshe	38	Devalkunda
6	Yeljit	39	Wandse
7	Jadkal	40	Nujadi
8	Mudur	41	Kundabarandadi
9	Hallihole	42	Tallur
10	Kambadakone	43	Hattiangadi
11	Neranjal	44	Kamayana
12	Bijur	45	Kerchanoor
13	Uppuda	46	Haluad
14	Nandanavana	47	Kavradi
15	Kargal	48	Shankaranarayana
16	Ullur.	49	Karkunje
17	Hareer	50	Gulvadi
18	Kalthodu	51	Ampar
19	Kollur	52	Trasbi
20	Golihole	53	Mosad
21	Kirimanjeshwar	54	Gujjadi
22	Navunda	55	Gangolli
23	Mervanthe	56	Machattu
24	Badakere	57	Urpinakudre
25	Nada	58	Hemmadi
26	Haduvu	59	Kodladi
		60	Auri
		61	Shiddapura
	Wandse Firka	62	Ullur
		63	Hosangadi
27	Kerdy	64	Yedamoge
28	Kamalashile		
29	Nosur		*Coondapur Firka*
30	Bellal		
31	Chitoor	65	Kulanje
32	Idurkunbadi	66	Haladi

Sl. No:	Name of the village	Sl. No.	Name of the village
67	Nengavalli	104	Bannadi
68	Kattadi	105	Vaddershe
69	Hardalli Mandalli	106	Acualdi
70	Nalladi Markadi	107	Chitrapadi
71	Kargi	108	Kotathattu
72	Heskathur	109	Parampalli
73	Ulthoor	110	Karkada
74	Vokwady	111	Gundmi
75	Kumbhasi	112	Koni
76	Tekkatte	113	Airedi
77	Mademakki	114	Balkuduru
78	Shedimane	115	Pandeshwar
79	Belve	116	Moodabadu
80	Albadi	117	Hosala
81	Amasebail	118	Kachur
82	Kulavar	119	Hanchalli
83	Asedu	120	Heradi
84	Kedur	121	Kavadi
85	Honbady Mandady	122	Yedthadi
86	Yediadi Mathiadi	123	Shiriyara
87	Melhalli	124	Nadur
88	Beloor	125	Kadur
89	Coondapur	126	Negguoji
90	Voderhobli	127	Shirooe
91	Hangalur	128	Billadi
92	Koteshwar	129	Kukkunje
93	Bijadi	130	Vendar
94	Kupadi	131	Avarche
95	Basrur	132	Hiliyana
96	Nardavar		
97	Japthi		*Brahmavar Firka*
98	Balkur		
99	Anegalli	133	Nanchar
100	Koni		
101	Naladi .		
	Kota Firka		
102	Manoor		
103	Giliyar		

ANNEXURE—B

63 Villages of Bhatkal Taluk

Sl. No.	Name of villages	Sl. No.	Name of villages
1	Agga	33	Kagundi
2	Aotrawalli	34	Kaikini
3	Aravalki	35	Karikal
4	Badabag	36	Kekkod
5	Bailur	37	Kerehittal
6	Bastigalmigte (Hadin Farka)	38	Kitre
7	BastigalMigte (Koppa Farka)	39	Konar
8	Behalli	40	Koppa
9	Belke	41	Kotkhand
10	Belni	42	Kulwadi
11	Benandur	43	Kuotwani
12	Bengre	44	Kuramkur
13	Besbe	45	Marukeri
14	Bilalkhand	46	Masheri
15	Bailurmare	47	Mavinkurve
16	Chouthani	48	Mudbhatkal
17	Devasthanmigte	49	Mugli
18	Golibilur	50	Mundolli
19	Gorta	51	Murkodi
20	Hadhin	52	Muttalli
21	Hadil	53	Nuz
22	Hadlur	54	Purvarg
23	Hadwalli	55	Tagargod
24	Hallari	56	Talan
25	Hallyani	57	Talagod
26	Hasarwalli	58	Venkatapur
27	Heble	59	Onibagil
28	Hejjil	60	Yalwadikovur
29	Honjle	61	Bhatkal
30	Herur	62	Avalli (Murdeshwar)
31	Hudl	63	Shirali
32	Jali		

97	*Villages of Honnavar Taluk*	5	Anilgod
		6	Aumsalli
1	Adkekuli	7	Arolli Mundgod
2	Adukal	8	Balkur
3	Agrahar	9	Balutar
4	Allanki	10	Begoli

Sl. No.	Name of villages	Sl. No.	Name of villages
11	B·ranki	53	Kerakone
12	Berin·od	54	Kervl i
13	Beroulli	55	K·andudi
14	Chan·aran	56	Kodani
15	Ch kankod	57	Ku la
16	(hi·ikod	58	Kudige
17	D bod	59	kumbrikorli
18	Dugeu·	60	Ku.kod
19	Cumvante	61	Kot
20	Hadgeri	62	Madgeri
21	Hadikal	63	Mageod
22	Hagi ha'l	64	M hime
23	H.ldinur	65	Malkod
24	Han. halli-Kabblnbakkal	66	Mallukurve
25	Hebbauaeli	67	Mandalaaurve
26	Heggar	68	Mat.ki
27	Heragadi	69	Man iga
28	Hermil	70	Mavinkurve
29	Harnvalli	71	Melana-Mudakani
30	Hionur	72	Mo kod
31	Hodkenhiror	73	Mugve
32	Honavar	74	Mutta
33	Hosad	75	Nagarakastikeri
34	Hosakuli	76	Nagre
35	Hosgod	77	Navilgon
36	Hospattan	78	Nilkod
37	Hu·egar	79	Padukuli
38	Idgunji	80	Paviokurve
39	Jalvalli	81	Raval
40	Jankadkal	82	Salkod
41	K.ddale	83	Samti
42	Kadtoka	84	Sirlige
43	Kaurve	85	Shankardevibagi
44	K.lsinmote	86	Shirkur
45	Karni	87	S lubeel
46	Karva	88	Talgod
47	K.rikurve	89	Talamakki
48	Kasarkod	90	T.langueor
49	Kovoor	91	Tumbebel
50	Kekkar	92	Uponi
51	Kelgamoor	93	U.sarkond
52	Kelginamudkani	94	Valki

Sl. No.	Name of the village	Sl. No.	Name of the village
95	Vandoor	32	Kalve
96	Vishnugbhat	33	Chimolli
97	Vondur-Nikod	34	Bangane
		35	Morsi
		36	Hosalli
103	Villages of Kumta Taluk	37	Madanehalli
21	Villages of Honavar Taluk	38	Kavaladai
22	Villages of Ankola Taluk	39	Kankatli
		40	Holiavalli
	Kumta Taluk	41	Bastikere
		42	Santegali
1	Chitrige	43	Hasalli
2	Vannali	44	Medine
3	Hollangadde	45	Honggeri
4	Baad	46	Ambli
5	Aghanashini	47	Hegdekasli
6	Hegde	48	Havali
7	Madaki	49	Hantail
8	Mankattu	50	Alagar
9	Lakkeri	51	Yena
10	Kalbag	52	Sondolli-Matolli
11	Rajmahendragadda	53	Belangi
12	Doogeri	54	Aregundi
13	Hollegadde	55	Halkod
14	Mhasba	56	Habbail
15	Harniru	57	Shirguji
16	Kadekodi	58	Upsopattan
17	Handigaon	59	Antrivalli
18	Baggon	60	Koplagutha
19	Urkeri	61	Yelavalli
20	Horbag	62	Nilcode
21	Kurue	63	Divgo
22	Karmakki	64	Boandival
23	Kallabbe	65	Santur
24	Kandavalli	66	Madangeri
25	Hosad	67	Hittalmakki
26	Ullur	68	Yannamudi
27	Santgal	69	Herigutti
28	Konalli	70	Takatgeri
29	Kujalli	71	Morsba
30	Valagalli	72	Mavakalgazni
31	Hervatte	73	Midavalgazni

Sl. No.	Name of the village	Sl. No.	Name of the village
74	Kelaginalla		*Honnavar Taluk.*
75	Kalikon		
76	Kapakurve	1	Mallapur
77	Phatubele		
78	Tannirbonda		
79	Mirjan		*Ankola Taluk*
80	Kodkani		
81	Bargi	1	Ulvare
82	Chatrakurve	2	Balali
83	Bethkulli	3	Karebail
84	Maurkurve	4	Gundabal
85	Savalkurve	5	Atchve
86	Nagur	6	Bambur
87	Keokaneshivarur	7	Kabagal
88	Mugwekanavaddi	8	Kalkoda
89	Mogata	9	Adigon
90	Gokarn	10	Aggargaon
91	Hanchalli	11	Jug
92	Bavikodlu	12	Sagadageri
93	Kadme	13	Kamige
94	Nagarbail	14	Hegare
95	Gonehalli	15	Dongri
96	Torke	16	Heltur
97	Narnapur	17	Halawalli
98	Adle	18	Kateshwar
99	Harumasgeri	19	Heggar
100	Nadumasgeri	20	Sunksal
101	Damgera	21	Kattinahakkal
102	Maski	22	Hebbul
103	Kammane		

ANNEXURE-'C'

73 Villages of Karkal Taluk
16 Villages of Udipi Taluk
8 Villages of Bantwal Taluk
30 Villages of Mangalore Taluk

131 (total villages)

Sl. No.	Name of the villages	Sl. No.	Name of the villages
	Brahmavar Firka.	28	Marne
		29	Varanga
1	Kathur	30	Paduvaduru
2	Bairampalli	31	Yellare
3	Shirvar	32	Kakkunje
4	Bellarpadi	33	Kadhalia
5	Padur	34	Yerlapadi
6	Belpu	35	Hiragan
7	Yellur	36	Hermunde
8	Kalathur	37	Jarkala
9	Kuthyar	38	Kervashe
10	Pilar	39	Mala
11	Santhur		
12	Nandikoor		*Karkala Firka.*
13	Palimar		
14	Padebettu.	40	Nire
15	Nadsal	41	Pailur
16	Hejamadi	42	Kaujar
		43	Kanneer
	Ajekar Firka.	44	Kinjura
		45	Balli
17	Balanje	46	Kaskundur
18	Chara	47	Durga
19	Kerebettu	48	Mudar
20	Kachhanu	49	Nallur
21	Nadpala	50	Kanjal
22	Hebri	51	Irvathur
23	Shivapura	52	Miyar
24	Mudradi	53	Karkal
25	Kabbinale	54	Sonar
26	Andar	55	Nitte
27	Shirlal	56	Kallya

Sl. No.	Name of the villages	Sl. No.	Name of the village
57	Suda		
58	Belœau		
59	Nandalike		
60	Kedinje		
61	Bela		
62	Kanthavar		
63	Nuralvatty		
64	Idu		
65	Iuna		
66	Kuliadka		
67	Mundkur		
	Mada bidri Firka.		*Mulki Firka*
68	Kadandale	96	Chitrap
69	Belvai	97	Pavanje
70	Paldka	98	Talipadi
71	Put ige	99	Mannabettu
72	Thedar	100	Karnibe
73	Badagamijar	101	Bappanad
74	Tenkamijar	102	Padupanambur
75	Kallamundkur	103	Halear gadi
76	Nidedi	104	Elathur
77	Iruvail	105	Naougedu
78	Pucnamegru	106	Balakunja
79	Hesabettu	107	Karnad
80	Prarthya	108	Kallairu
81	Marpadi	109	Thekur (Majathokur)
82	Padumarnad	110	Kulanjur
83	Muduannad	111	Kendemula
84	Kallaputtbinge	112	Koller
85	Daregudde	113	Uliadi
86	Valpodi	114	Kemral
87	Kulabettu	115	Simanthur
88	Karanja	116	Elinje
89	Maroru	117	Kilpadi
90	Padukerje	118	Athikaribettu
91	Mudukenje	119	Aitala
92	Shirthadi	120	Aloor
93	Barapila	121	Manampadi
94	Nellikaru	122	Kavathar
95	Mastradi		*Gurpur Firka*
		123	Kilanjar
		124	Badagavedaradavu
		125	Tenkayedapadavu
			Bantwal Firka
		126	Karje
		127	Pilinogru
		128	Kukkadi
		129	Sangalettu
		130	Kalienadegoda
		131	Chennattodi
		132	Ajilatu
		133	Kucambettu

ANNEXURE 'D'

Taluk of Karwar and 49 villages of Ankola taluk.

Sl. No.	Name of the villages	Sl. No.	Name of the villages
1	Entire Karwar Taluk		
2	49 villages of Ankola taluk mentioned below :—		
1	Adlur	26	Kan'ri
2	Agsoor	27	Kavalalli
3	Algeri	28	Keni
4	Ambarkodla	29	Kodsanir
5	Ankola	30	Kogre
6	Awarsa	31	Laxmeshwar
7	Baleguli	32	Manjguni
8	Bisgoi	33	Nacinag
9	Belekeri	34	Poojgeri
10	Belse	35	Sakalbena
11	Belambar	36	Snedgeri
12	Berde	37	Setgeri
13	Bhavikeri	38	Shilla
14	Bilehoingl	39	Shinganmakki
15	Bobrawada	40	Shirgunji
16	Bole	41	Sorkuli
17	Gudichalli	42	Shiroor
18	Hadav	43	Surve
19	Harwada	44	Tolgadde
20	Hattikera	45	Tenginkeri
21	Hichkad	46	Vadibagi
22	Honnebail	47	Vandige
23	Hosgadde	48	Varlben
24	Ichaibail	49	Vasarkudriga
25	Kangil		

ANNEXURE 'E'

83 Villages of Mangalore Taluk.

Sl. No.	Name of the village	Sl. No.	Name of the village
	Mulki Firka		***Mangalore Firka***
1	Kikudo	31	Alape
2	Panja	32	Bajal
3	Shibibithlu	33	Bangrakulur
		34	Kannur
	Surathkal Firka	35	Manoli
		36	Padukodi
4	Chellairu	37	Boluru
5	Delantbabettu	38	Derebailu
6	Idya	39	Kadri
7	Kuthethur	40	Kasba Bazaar
8	Maiya	41	Kodyalbail
9	Surathkal	42	Padavu
10	Surinje	43	Attavara
11	Thokur	44	Mangalore Thota
12	Badaga Yekkar	45	Jeppinamogru
13	Bajpe	46	Kankanadi
14	Kala	47	Amblamogru
15	Kaikampadi	48	Kelma
16	Kunabettu	49	Marakala
17	Kalavar	50	Kinya
18	Kenjar	51	Konaje
19	Kulai	52	Kotekar
20	Malavur (Maravur)	53	Manjanadi
21	Permude	54	Munnur
22	Tenka Yekkar	55	Pavuru
23	Kavuru	56	Permannuru
24	Kunjathabailu	57	Someswara
25	Markada	58	Talapadi
26	Mudushedde	59	Ullal
27	Padushedde	60	Baliyaru
28	Panambur		
29	Panjimogru		
30	Tannirubhavi		

Sl. No.	Name of the villages	Sl. No.	Name of the villages
	Gurpur Firka	72	Pedaga Ulipadi
		73	Kandavara
61	Adyar	74	Kolambe
62	Arkula	75	Kolavuru
63	Bondanthila	76	Kompadavu
64	Kudupu	77	Megar
65	Malluru	78	Muchchuru
66	Nirmarga	79	Muduperar
67	Pachanadi	80	Muluru
68	Tiruvailu	81	Muthuru
69	Ulaibettu	82	Paduperar
70	Addur	83	Tenka Ulipadi
71	Adyapadi		

ANNEXURE 'F'

Sl. No.	Name of the village	Sl. No.	Name of the village
	Puttur Firka	35	Kabaka
1	Badagannur	36	Padnur
2	Kaduvennur	37	Pannur
3	Nettanigamudnur	38	Chikkamudnur
4	Puttur	39	Nakkiladi
5	Shantbigodu	40	Kodmbadi
6	Nari ogru	41	Bellipadi
7	Kemmitji	42	Kodipai (transferred to Vittal Firka of Buntwal taluk)
8	Kuriya		
9	Balnad		*Kadaba Firka*
10	Aryapu		
11	Volamogru	43	Kadaba
12	Mundur	44	Kodimbala
13	Saiva	45	Bantra
14	Kodabadi	6	Sekkiladi
15	Keyyur	47	Kutrupadi
16	Koltigi	48	Renjadi
17	Ariyadka	49	Noojibalthila
18	Madnur	50	Ai hoor
19	Irde	51	Biliuele
20	Panaje	52	Kombar
21	Bettampady	53	Koila
22	Nidaigalli	54	Ramakunja
		55	Alankar
	Uppinangadi Firka	56	Kudmar
		57	Kelandur
23	Uppinangady	58	Charvaka
24	Nirebandadi	59	Kaimara
25	Bajathur	60	Kaniyur
26	Alanthyd	61	Dolpadi
27	Konalu	62	Balya
28	Golitbattu	63	Haleneranki
29	Nellyad	64	Perabe
30	Ichlampadi	65	Kunthnoor
31	Kaukradi	66	Sara oor
32	Shiradi	67	Palthadi
33	Konaje	68	Punacharadi
34	Shribagilu		

Sl. No.	Name of the village	Sl. No.	Name of the village
	Sullia Firka	94	Subramanya
		95	Ainkidu
69	Aivarnad	96	Yeneka'lu
70	Amaramudnur	97	Kuthkunja
71	Amarpadnur	98	Nalkur
72	Bellare	99	Guthigar
73	Kala ja	100	Devachalla
74	Balila	101	Hariharapallatholka
75	Muriperia	102	Kollamogaru
76	Poruvaje	103	Balgodu
77	Kodiyala	104	Kelmakar
78	Madvadi	105	Kalpa
79	Markanja	106	Aivarhaklu
80	Nallurkamraje	107	Kinya
81	Sampaje	108	Kalmadka
82	Thedikana	109	Pambathadl
83	Arathodu		
			Kokkada Firka
84	Abrakamithoor		
85	Sullia	110	Kokkado
86	Jatur	111	Patrame
87	Mandekolu	112	Bandar
88	Kanekamajlu	113	Kaniyar
89	Ajjavar	114	Shibje
90	Alotti	115	Harihadka
		116	Robya
	Panja Firka	117	Illanthila
		118	Mogru
91	Murallya	119	Urval
92	Yedmmangala	120	Karaya
93	Yennur		

77 villages of Buntwal taluk

	Panemangalore Firka		
		7	Panemangalore
		8	Amtur
1	Shambur	9	Koila
2	Narkombu	10	Arla
3	Kadeshwalya	11	Kavalapadur
4	Berimar	12	Irvathur
5	Belthila	13	Pinabettu
6	Golthamajal	14	Mudapadukodi

Sl. No.	Name of the village
15	Sarapadi
16	Deva-hyapadur
17	Kavalemudur
18	Badag k-jakar
19	Devashyanmudur
20	Tenkakajekar
21	Maninalkur
22	Uli
23	Baiepuni
24	Kairangala
25	Kurnad
26	Naringana
27	Phajiru
28	Ammunje
29	Badagatellur
30	Chelur
31	Ira
32	Kalligo
33	Kariyangala
34	Kodi-annu
35	Manchi
36	Meramajal
37	Muda (Buntwal)
38	Madnur
39	Padu
40	Saj pa Muda
41	Sajjipa Nadu
42	Sajipa Padu
43	Tenkabellur
44	Thumbe

Buntwal Firka

45	Ambadi
46	Bantwal
47	Budoli
48	Kadabettu
49	Kuriyala
50	Mudenadugodu
51	Navur
52	Panjika
53	Rayi

Vittal Firka

54	Biliyar
55	Perne
56	Kudioadi
57	Kula
58	Idkidu
59	Kedila
60	Perajo
61	Nellamudnur
62	Mani
63	Arabathady
64	Veerakamba
65	Belanthur
66	Vittalapadnur
67	Vittlamudnur
68	Vittal
69	Kolnad
70	Salethnur
71	Karopady
72	Kanyana
73	Paruvai
74	Manila
75	Alike
76	Kopu
77	Punacha

70 villages of Belthangady taluk

Belthangadi Firka

1	Navur
2	Kanyadi
3	Indubettu
4	Nada
5	Savanalu
6	Mundur
7	Laila
8	Beltangadi

Sl. No.	Name of the village	Sl. No.	Name of the village
9	Koyyur	39	Pillya
10	Ujre	40	Kudyadi
11	Kalmanja	41	Savya
12	Mundaje	42	Marodi
13	Kadirudyavar	43	Kokradi
14	Mithabagilu	44	Naravi
15	Malavanthige	45	Kuthinr
16	Charmady	46	Sulkeri
17	Thotathadi	47	Navara
18	Neriya	48	Sukerimogru
19	Maladi	49	Shirlal
20	Sonandur	50	Karambar
21	Garadadi	51	Badagakaraddur
22	Pangadi	52	Tenkakarandur
23	Melantabettu	53	Nalkur
24	Kuvettu	54	Balanja
25	Vodilnal		
	Venur Firka		*Kokkada Firka*
26	Padakodi	55	Balalu
27	Hosangadi	56	Dharmasthala
28	Kashipatna	57	Chibidre
		58	Paduvettu
	Belthangadi taluk Venur Firka	59	Kalarja
		60	Shishila
29	Arambodi	61	Nadle
30	Gunduri	62	Kaliya
31	Venur	63	Nyayatarf
32	Karimanel	64	Puthila
33	Mudukodi	65	Thannirapantha.
34	Peradi	66	Thekkar
35	Bajre	67	Barya
36	Kukkedi	68	Machina
37	Nittadi	69	Paranki
38	Ardinje	70	Kukkala

ANNEXURE 'G'

67 Villages of Udipi Taluk

Sl. No.	Name of the village	Sl. No.	Name of the village
	Brahmavar Firka	33	Moodabiambur
		34	Ambalapadi
		35	Kidiyur
1	Kufi	36	Kadekar
2	Nalkur	37	Kushpadi
3	Kanjoor	38	Badagabettu
4	Hosur	39	Udiyavar
5	Perdur	40	Korangrapadi
6	Kukkehalli	41	Alevoor
7	Bellampalli	42	Shivalli
8	Haluvalli	43	Herga
9	Pejamangoor	44	Balabettu
10	Cherkadi	45	Nirebettu
11	Havanje	46	Kudi
12	Uppur	47	Perampalli
13	Heroor	48	Marpe
14	Area	49	Manipura
15	Neelavar		
16	Chasthar		*Kaup Firka*
17	Matpadi		
18	Handadi	50	Yenagudde
19	Kumaragod	51	Kurkal
20	Varamballi	52	Belle
21	Haradi	53	Kaitingore
22	Paikadi	54	Shirva
23	Thonse West	55	Heroor
24	Thonse East	56	Mallur
		57	Innanje
	Udipi Firka	58	Pangala
		59	Moodabettu
25	Bommabettu	60	Kota
26	Anjar	61	Mattu
27	Atradi	62	Ulliargoli
28	Keralkalbetty	63	Padu
29	Badanidiyur	64	Mallar
30	Tenkanidiyur	65	Malur
31	Kodavoor	66	Bada
32	Puttur	67	Teaka

Department of Law and Parliamentary Affairs.

CORRIGENDUM.

Bangalore, dated 20th—21st November 1967.

S.O. 2227.—In Government Notification No. LAW 229 LCE 67, dated 4th October 1967, delete the following :—

"Shri M. A. Jaffer Ali Khan, B.Sc., (Hons) B.L.,
29-12-1968

Civil Judge, Udipi".

[No. LAW 229 LCE 67.]

By Order and in the name of the Governor of Mysore,

1474 R. A. Ramaswamy, *Under Secy.*

NOTIFICATION

Bangalore dated 27th November 1967.

S. O. 2228.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the Government of Mysore hereby appoint the officers mentioned in column (2) of the Table below as Sessions Judges for the Court of Sessions specified in the corresponding entries in column (3) thereof, from the date on which the said officers assume charge of the post of District Judge in the District Courts specified in the corresponding entries in column (4) thereof.

TABLE.

Sl. No.	Name of the District Judge	Court of Sessions	District Court
(1)	(2)	(3)	(4)
1	Sri N. R. Kuloor	Court of Sessions for Gulbarga Sessions Division	District Court, Gulbarga
	Sri S. T. Kulkarni	Court of Sessions for Dharwar Sessions Division	District Court, Dharwar

[No. LAW 98 LAC 67.]

By Order and in the name of the Governor of Mysore,

R. A. RAMASWAMY,

Under Secy. to Govt.,

1507 *Dept. of Law and Parliamentary Affairs.*

Law Secretariat

NOTIFICATION.

Bangalore, dated 28th November 1967

S. O. 2229.—In exercise of the powers conferred by sub-section (1) of section 9 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the Government of Mysore hereby appoint Sri Mohammed Nasir Ali, District Judge, to be the Sessions Judge for the Court of Sessions for Raichur Sessions Division from the date on which he assumes charge of the post of District Judge, Raichur District.

[No. LAW 99 LAC 67.]

By Order and in the name of the Governor of Mysore,

1511

R. A Ramaswamy,
Under Secy. to Government,
Dept. of Law and Parliamentary Affairs.

COMMERCE AND INDUSTRIES SECRETARIAT

NOTIFICATION.

Bangalore, dated 21st November 1967.

S. O. 2230.—In exercise of the powers conferred under Rule 15(1) of the Mineral Concession Rules, 1960, the Government of Mysore hereby revoke the orders issued in Government Notification No. CI 85 EPO 67, dated 3rd July 1967 sanctioning a Prospecting Licence for Iron Ore in respect of the area of 80 acres of land in Sandur State Forest, N. E. B. Range Block No. III (B & C) Sandur Taluk, Bellary District in favour of Messrs. Srinivasa Ores, as the grantees failed to pay the security deposit and execute the deed within the prescribed time limit.

[No. CI 233 EPO 67.]

By Order and in the name of the Governor of Mysore,

1483 N. NARAYANASWAMY, *Under Secy.*

REVENUE SECRETARIAT

NOTIFICATION.

Bangalore, dated 23rd November 1967.

S. O. 2231.—WHEREAS in respect of lands in the tract consisting of 1. Achamatti, 2. Coulk ,3. Manikatti, 4. Haralakatti, 5. Hooli, 6. Govarakop (Inam), 7. Basidoni, 8. Shivasangi, 9. Kallapur, 10. Kagadnal, 11. Hoolikatti, 12. Chikkumbi, 13. Inamhongal 14. Chikkaulligeri, 15. Sangreshikop, 16. Yadihalli, 17. Kencharamanhal, 18. Hanchinal, 19. Dhaderkop, 20. Hirekumbi, 21. Ugargol, 22. Betsur, 23. Hireulligeri, 24. Haralapur, 25. Dugbal, 26. Yadravi, in Parsagad taluk, Belgaum district, the collection of land revenue payable for the revenue year 1963-1964 had been suspended to the extent of fifty percent ;

AND WHEREAS owing to unsatisfactory seasonal conditions the annewari of crops is less than eight annas and consequently there has been a failure of crops, and the Government of Mysore considers it necessary to remit the suspended arrears of land revenue payable in respect of the lands in the said tract for the revenue year 1963-64;

Now, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 191 of the Mysore Land Revenue Act. 1964 (Mysore Act No. 12 of 1964), the Government of Mysore hereby remits the suspended arrears of land revenue payable for the revenue year 1963-64 in respect of the lands in the tract consi-ting of the said villages, in Parasgad taluk, Belgaum district.

[No. RDF 27 TRM 67.]

By Order and in the name of the Governor of Mysore,

1811 G. V. DESAI, *Under Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Blore.